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The Week

THE outstanding events of the week in China are the reported defeat of the Nationalist army, the sending of identic notes to the Nationalist government regarding the Nanking affair, and the raids on the Soviet legations at Peking and Tientsin. The notes are, on the whole, more moderate in tone than there was reason to fear they might be. The fact that identic notes were sent, instead of a joint communication, represents a defeat for the British, who have tried to get common action in support of an attitude of the utmost belligerency. No time limit is set, which further distinguishes the notes from an ultimatum. The powers demand punishment of the soldiers who, it is alleged, were implicated in the mistreatment of foreigners, an apology by Chiang Kai-shek, promises that in the future foreign life and property will be safeguarded, and reparation for personal injuries and material damage done. In making the notes public, the five governments involved—Great Britain, the United States, France, Japan and Italy—accompanied them by a regrettably bombastic covering statement, reiterating the declaration that the attacks were the work of Nationalist troops, and attacking the "foreign influences" (Russia) which are seeking to "break up the existing friendship"—between the Chinese people and the powers. No mention is made of the request by the Nationalist government for a joint investigation to find who was actually responsible for what happened at Nanking. The policy of the powers is to demand now and to investigate never. At the same time, the refusal of Japan, France and the United States to pledge themselves to immediate military action is written all over the document, and is reassuring to the friends of peace.

THE raids on the Soviet buildings at Peking and Tientsin, and the posting of guards around the buildings at Shanghai, were probably prompted by several motives. It was desirable, from Chang Tso-lin's point of view, to find out whether Communist and Cantonese propaganda was being carried on from the legations, and if so, to break up the practice. The effort would also serve publicly to label Peking as identified with anti-Bolshevism, always useful in its effect upon public opinion in Western Europe and America. It is commonly supposed in China that Japan is behind Chang Tso-lin, and that Great Britain has been at least favorably disposed toward him. It has been suggested, by persons holding this view, that Great Britain may have instigated the raids with the hope of drawing the Soviet government into hostile acts, or even a declaration of war. This theory seems to us unlikely; and in any case, the result supposedly aimed at has not been achieved. Russia has announced that it refuses to fight; and there the matter rests.

GREAT BRITAIN is about to tighten her belt again in order to make up for the budget deficit arising from the coal strike, the general strike, and the industrial depression which has accompanied her return to the gold standard. More taxation, largely in the form of import duties, which cause the consumer more loss than the gain they bring to the Treasury, is the chief reliance of Mr. Churchill's new budget measure. Can we hope that this lesson

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will teach the British electorate that it costs heavily to fight labor, and that the victory is hardly worth the cost when it consists chiefly in lowering wages and prolonging the disorganization of a mismanaged industry? If the Conservatives had a prosperous and efficient coal industry to show for their pains, there would be some compensation; but there is no sign that constructive measures of any sort have been effected. Imagine the howl which would arise from British taxpayers if a Labor government had, in the course of reorganizing coal, temporarily incurred expenses requiring higher taxes! Apparently it is politically safe to levy the heaviest taxes in the world if the government makes very sure no permanent benefit arises from them. Or will the next elections tell another story?

IN England the Conservatives propose to enforce by statute restrictions on the action of unions which appear, on brief report, even more drastic than those which have been written into the law by judicial interpretation in this country. In this, as in his behavior in the settlement of the coal strike, Premier Baldwin has disappointed all expectations that he would restrain his more vehement colleagues to a moderate and conciliatory policy. The bill not only proposes to make illegal anything like a general strike or a sympathetic strike, but imposes drastic restrictions on picketing, in effect prohibits civil servants from being affiliated with the general trade-union movement, forbids making union membership a condition of employment, and prevents unions from levying on their members contributions to political funds without the written consent of each individual member every year. The latter provision is, of course, intended to weaken the financial resources of the Labor party, which now provides almost the sole opposition to the Conservatives in Parliament. The measure is such patent class legislation that it furnishes a challenge to the whole labor movement in both its industrial and political wings. It is inconceivable that labor, which might have abandoned the policy of the general strike on grounds of common sense, will consent to such a fundamental denial of its autonomy. The bill is highly provocative, and if it passes in the present form will cause more trouble than it can cure.

FOR the first time, a President of the United States has vetoed an act of the Philippine Legislature. President Coolidge has rejected the bill which asked a plebiscite among the Filipinos as to whether they want "immediate, absolute and complete independence." The President, or whoever wrote the veto message for him, was not in a happy vein. There are some legitimate arguments against the holding of the plebiscite, but the official statement centered its emphasis on other aspects of the matter which it would have been better to omit. Mr. Coolidge, seemingly, does not even realize the absurdity of arguing, at great length, with the Filipinos to prove that they are so happy under American rule that they have no occasion to vote to say whether they are happy or not. The whole tenor of his message was that the United States will continue to hold the Philippines for a very long time to come, and in support of this doctrine he advanced the usual arguments to show why independence is impracticable.

REGARDING the decision of the Supreme Court sustaining an injunction against the Journeymen Stonecutters' Association, Justice Brandeis writes, in his dissenting opinion: "The individual stonecutter was thus clearly innocent of wrong-doing unless it was illegal for him to agree with his fellow craftsmen to refrain from working on the 'scab'-cut stone because it was an article of interstate commerce." The workmen were innocent of trespass, breach of contract, violence, intimidation, fraud or threats. They did not boycott the non-union stone manufacturers or the contractors who used their product, but consented to work on such of their product as had not been cut by non-union labor. All they did was concertedly to refuse to work on the strictly non-union stone. Such refusal, the Supreme Court appears to hold, is a combination in restraint of trade, within the meaning of the anti-trust laws, and can be prevented by injunction and penalized by damages. "If on the undisputed facts of this case," holds Justice Brandeis, "refusal to work can be enjoined, Congress created by the Sherman Law and the Clayton Act an instrument for imposing restraints on labor which remind us of involuntary servitude." Interpretation of the anti-trust laws by the Supreme Court seems to describe two divergent curves, one constantly enlarging the scope of combination in profit-seeking business, the other constantly restricting the powers of self-defensive organizations of labor. To say that Congress never intended these laws to be applied to labor is perhaps beside the point. The Supreme Court's judgment is informed by its preconceptions concerning public policy, and as to good public policy in economic matters the education of most of the justices is woefully deficient.

THE Misses Lewisohn, who have financed and helped to direct the Neighborhood Playhouse since its beginning in 1915, have just announced its closing. This decision might be regretted by those who have cherished this theater as one of New York's novelties, a unique place to go for entertainment, and a combination of interesting plays, professionals, students, settlement work, sophistication and slumming. But the Playhouse itself cannot be content with so curious and diverting a position. This last step, like every other crucial decision that the Neighborhood group have made for this enterprise, is a wise one. They began as amateur, they rightly brought in professional actors for the dramatist's sake, they had a great success in many instances—"The Dybbuk," "The Little Clay Cart" and the

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"Grand Street Follies" and many others—they resisted temptation to desert repertory for profitable runs. Meanwhile, all along, they have given to dramatists, artists, musicians, dancers, directors, a first chance of production on which a later prosperity ensued; the list of the courageous recognitions on the part of the Neighborhood Playhouse is very impressive. Now they have outgrown intellectually and every way their locality, as was inevitable; and they have acquired larger audiences than their house can accommodate. With their success, they could sell out to advantage, begin to thrive by sharing their productions with commercial managers or transferring their theater further uptown. What they do is to stop for an interval, and without the pressure of rehearsals and the season's playing, sit down to think out their new terms and to perfect their plans. With this pause and this rich promise they preserve for us still that strange, heartening light of idealism that they have brought to the theatrical scene in America.

Why Chicago Did It

IN REVIEWING the incidents and result of the recent election in Chicago, it is important to find some adequate psychological explanation of the absurdity of the facts. The account of this little episode in the life of the American municipal democracy reads like a burlesque. It is apparently as fantastic and, if taken seriously, as sinister as the picture of criminal justice in Chicago which is contained in the play of that name. The campaign was an hilarious contest which was fought with spirit and bitterness on both sides. The Democratic candidate, Mr. Dever, played a somewhat conventional part. He appealed for reëlection in a dignified way upon his creditable record as Mayor, and he was supported by many independent Republicans and by the voters who were interested in "good government"—that is, by the Democratic machine and the "better element." But he was beaten by a large majority. Big Bill Thompson, his Republican opponent, presented his case to the voters in a series of speeches which probably beat the record in American politics for irrelevance, demagogy and vulgarity. Yet his victory was extremely popular. Its announcement was the occasion of enthusiastic rejoicing—analogous to the emotional barbecues which were celebrated on the East Side in New York after the election and reëlection of ex-Mayor Hylan. Why?

It is not easy to find an explanation. Dever's worst offense was, apparently, the unnecessary zeal which he displayed in enforcing the dry law on a wet city. Thompson commended himself to the good people of Chicago by announcing in his campaign speeches that instead of ordering cops to break into the houses of good citizens and frisk mattresses for booze, he intended to send them back to their beats. This announcement was interpreted to mean a return to the former method of vesting the grant of gambling and drinking privileges in a central bureau. The law-breaker is hereafter to pay the graft to the politicians at headquarters and they will protect him against bleeding by policemen on the beat, a practice which has flourished under Dever. For the rest, Thompson asked the voters to elect him chiefly as an aggressive, invincible and incorruptible American. His Americanism consisted chiefly in his heroic refusal to permit any foreign potentate to participate in the government of Chicago, particularly not King George, who, poor man, is also not allowed to participate in the government of England. The election has, consequently, finished one cause of popular anxiety. As long as Thompson is Mayor, Chicago at least will be guaranteed against exploitation by foreign monarchs or their snobbish agents in this country. On the other hand, the new Mayor was silent about his domestic as contrasted with his foreign policy. He has obtained practically a free hand in dealing with the traction and the public utility companies. Not so many years ago, the relations between the city and the traction companies dominated every municipal election. An adjustment was reached, but now, once again, the future of that relationship is completely up in the air. The new Mayor will have to reconsider during the next year every past decision and many new problems, and he will have to write a new contract, which will profoundly affect the convenience and the prosperity of the whole city. Yet the question was scarcely referred to, in an exciting municipal election which immediately preceded the negotiations. Evidently the people of Chicago no longer like to mix public business with the game of politics. What, then, does a political contest mean to them? What kind of community is it which can stage and enjoy such an election and celebrate Thompson's victory as the vindication of something precious and exhilarating?

It would be easy to answer this question by invoking the Mencken formula that Chicago, like New York and other cities, is a collection of unfeathered bipeds, mostly boobs or crooks, but this explanation, however much it may explain, does not sufficiently account for the particular kind of political absurdity which a majority of the people in Chicago has just committed. There is a method in their folly, and unless this method is correctly analyzed and intelligently combated, Bill Thompson and his prototypes will continue to reign in Chicago and elsewhere for many extravagant and hopeless years. The explanation is not economic or moral. It is social. That portion of Chicago which accomplished and celebrated Thompson's victory is a class-conscious sub-community which is just beginning to get together in large American cities and to find itself out. It is composed chiefly of people of foreign parentage or birth who have discovered in the new world certain common ways of self-assertion. They have been torn from their roots in Europe and transplanted to a more genial soil and climate, in

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which they have flourished without much selection or pruning, and they are now creating a new urban America of their own which is divorced from the old America of rural and middle-class puritanism. For the first time, they are sufficiently numerous and self-confident to dominate some of the societies in which they live. They have been restrained hitherto by respect for the traditional social leadership of the community, by the prestige of its accepted moral conventions and by the authority of its patterns of respectability. Now they are challenging those inherited household gods. A sufficiently large proportion of them have lived long enough to know their way around and to develop some initiative. America has Americanized them. They now propose to Americanize America.

Not only are they no longer disconcerted by the strangeness of their environment, but the several language groups, which in the beginning looked askance at one another, are foregathering. The popularity of "Abie's Irish Rose" symbolizes a racial amalgamation which is having important social and political consequences. The new society which they are creating within the traditional legal and social structures is hostile to the pretensions of its older predecessor. When the Chicago half-world rejoices at the election of Big Bill Thompson, it is this new society which is celebrating its victory over the respectability, the alien conventions, the moral self-importance and the exclusiveness of the older Chicago.

The influences which have formed this new society are derived chiefly from the effect upon its members of organized sport, relaxation, entertainment, jollification and publicity. Nearly all of them earn enough, in salaries or wages, to place at their disposal a considerable margin over their expenditure for necessities. They come from families who have suffered privation in the past. They propose to compensate for these privations and for their own hard, mechanical, monotonous work by taking care to enjoy themselves here and now. They drink a good deal; they dance a good deal; they spend a great deal upon baseball, prize fights and movies; and on Sundays and holidays they joy-ride to the rural picnic grounds near the city. There is always some sport, some public festivity, some crime, some fight or some competition in which they are stimulated to take a direct or a vicarious interest. The most widely circulated newspapers are edited entirely for the purpose of catering to the popular appetite for diverting and exciting pastimes. They are more afraid of being bored than of any other calamity which can overtake them, so that their pleasures are all distracting and exciting. They have sold themselves to the purveyors of public amusements, who have built up a vast and complex organization, apparently to satisfy the craving for entertainment, but really to stimulate it until it becomes insatiable.

The political psychology of the new urban hyphenated democracy demands a much more careful investigation than it has yet received. These converts to Americanism are violent, convinced, but usually gullible, patriots. Being extremely suggestible, they respond with facile enthusiasm to congenial and comforting phrases and to the seductive leadership of aggressive and sympathetic personalities. Yet they combine a cheap cynicism with sentimental enthusiasm, and suspiciousness with gullibility. They like to look upon themselves as more American than the native-born, particularly whenever the native-born tend to accept the opinions and follow the lead of good society in London and Paris. They resent, most of all, the idea which is popular among the older Americans that they, the newcomers, are in some way inferior as patriots to their precursors. A large part of the apparent political perversity of the new polyglot Americans is born of this resentment. They are always alert to detect evidences of snobbish superiority on the part of the descendants of the early settlers. If ever they scent its existence in a candidate for office, they flock to his opponent.

Their whole attitude brings with it an antagonism on their part to the respectability, the conventions, the manners, the prejudices and the codes of good society. Deeply as they resent the idea of inferiority, they, in a sense, acknowledge its existence. They regard themselves as somewhat beyond the pale—not, of course, beyond as outlaws but as latter-day Bohemians of the American moral highways. Being gypsies, they reject with contempt the conventional appeals which their social superiors make to their consciences. They feel well disposed towards many crooks and law-breakers, and hostile to government and meddlesome public spirit. They rather like to break some laws themselves, and they have little reverence for the institutions and orders of society. When the respectable newspapers accuse some favorite of theirs, such as Thompson or Hylan, of being a demagogue or a blatherskite, they impute the abuse to hypocritical envy. Politics is, from their point of view, chiefly a competitive sport in which bunk plays a legitimate and indispensable part. It is the business of a politician to win. The rules of the game permit the winner to win by almost any means and for the benefit of almost any result.

Remember, however, that the same people who vote enthusiastically for a Thompson or a Hylan at one election may vote with even more rejoicing for Al Smith at the next. They are not so much opposed to good government as they are to the exclusive gentlemen who conspicuously favor it, and to the repressive objects which puritanical government often proposes. What these newcomers have most craved from the older Americans is the extended hand of kindliness, sympathy, good-fellowship and equality. They or their parents, for many years after their arrival, lived lonely lives in strange and harsh surroundings. They are domesticated now, but they remember their former loneliness and the lack of a helping hand when they most needed it, except from one another. They require, conse-

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quently, more than anything else in their political favorites, a sympathetic personality and the sense that he is playing the game with them. They are always asking other people, particularly people who exercise some advantage over them, to "have a heart"; and that, let us remember too, was the deepest and most characteristic demand which pioneer Americans put up to one another. Pioneer America valued and exhibited the same kind of fellow-feeling which the new American is trying to recreate in his rowdy and restless communities. It is no substitute for good government, but it is no less necessary in a democracy. The hyphenated Americans who so foolishly rejoice at Bill Thompson's election are at least trying to keep alive a feeling for social equality which was characteristic of the earlier American, but which is disappearing among his native-born successors.

Sacco-Vanzetti

IT has taken just seven years for the legal process in Massachusetts to exhaust itself in this famous case. Two Italians, one a shoe worker and the other a fish peddler, now await execution of a death sentence for two killings in the course of a professional hold-up alleged to have been committed by a gang of five bandits, the rest of whom have never been accounted for, resulting in a booty of about $16,000, the fruits of which have never been traced in the remotest degree to the accused, both men of good character, but of notorious radical activity and "slackers." At the time of their arrest, in the months following the preparation of the trial and during the weeks of the trial, their case became warp and woof of the Red hysteria, with its attendant brutalities and illegalities, officially engineered by Mitchell Palmer.

The trial of the men was enveloped in the contemporary hatred of the radical alien. Their offensive views, their hostility to the War, their contempt for our institutions, were exploited before the jury, and turned Judge Webster Thayer into a zealot in a holy war instead of a jealous guardian of the traditional standards of fairness and reason which are the boast of Anglo-American procedure, particularly in a capital case. We now know that, by prearrangement between the prosecutor and a Commonwealth expert, a purposed ambiguity as to the identification of the fatal bullet was in the judge's charge put to the jury in the untruthful form in which the expert, in private, expressly refused to testify. We now know that the radical views of the defendants, which were elaborately adduced before the jury on the plea of testing the sincerity of the explanation of their conduct at the time of their arrest—their fear of Mitchell Palmer deportations—were, in fact, elicited to arouse the patriotic passions of the jury, for the prosecutor had official information that Sacco and Vanzetti were on the Red list of the government. In a word, no disinterested student of the case can have the slightest doubt that passion and prejudice, Red fear and xenophobia, dominated the atmosphere of the courtroom, guided the district attorney, and, above all, had possession of the judge.

But the Supreme Court of Massachusetts found all these matters beyond its corrective process. Every complaint made of Judge Thayer was resolved within the allowable area of his "discretion." As one reads the record of this trial, in the setting of its times, with two ranting Reds on one side and a Norfolk County jury on the other, and the judge not a judge but the "thirteenth juror"—the most influential of them all—one's indignation at the Supreme Court's failure to find vitiating prejudice can only be restrained by a realization of the incredible naïveté of the judges in not appreciating how the patriotic passions of simple native jurymen were played upon. So the case went against Sacco and Vanzetti in the Supreme Court, when unexpectedly new evidence turned up, directing guilt against others. The new testimony, in conjunction with all the known facts of the South Braintree crime, overwhelmingly pointed away from Sacco and Vanzetti and toward a well known Providence gang. But the new evidence had to satisfy Judge Thayer, and Judge Thayer was committed to the guilt of these men. Upon the correctness of their conviction depended his self-esteem and his judicial reputation. He argued away the new evidence in a document which established a distorting mind and a vindictive spirit. But the Supreme Court again sustained Judge Thayer.

The Supreme Court of Massachusetts did not pass upon the value of the new evidence. The Supreme Court did not examine the proofs of Judge Thayer's incorrigible bias, embedded in his own opinion. The Supreme Court did not deny that the new evidence would justify a different verdict before a new jury. The meaning of this decision has been accurately stated by Professor Samuel Eliot Morison, the Harvard historian:

> The final judgment of the Supreme Judicial Court seems to close the last loophole where justice may penetrate a wall of legalism, prejudice and fear. The Court, quoting Davis vs. Boston Elevated Railway, 235 Mass. 482, declares: "It is not imperative that a new trial be granted, even though the evidence is newly discovered, and if presented to a jury would justify a different verdict." If this be good law, it is certainly not justice. It is tantamount to saying that, no matter what new evidence may be brought forward tending to establish the innocence of condemned men, the trial judge, whose professional reputation is bound up with sustaining the original verdict, is the sole judge of the value of such evidence.

Certainly such is not the law of New York, and not the law of England, nor was it the law of Massachusetts in a capital case, until the Supreme Court made it so, the other day. But that Court told us, very recently, that law and ethics, at least in Massa-

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chusetts, are very different! Law, then, has spent itself, and after seven terrible years Judge Thayer pronounced "the sentence of the law," as though an impersonal Nemesis and not Webster Thayer had been the vehicle of the law's perversion.

At last Sacco and Vanzetti are beginning to stir the ancient conscience of New England. Somehow men had assumed that these convictions could not stand, and that the law would find a way to correct the rare instance of judicial distemper. As the meaning of it all is beginning to sink into men's minds, "the honor of Massachusetts" is enlisting a concern which hitherto the cruel treatment of two outcast Italians, under the guise of law, left unmoved. There is a tremor in the air as of something awful impending.

The law has failed because its ministers have not been equal to its majesty. Professional bias and the cult of judicial infallibility have identified Judge Thayer's conduct with the very being of law. "Respect for the courts" has been sought even at the cost of concealing disrespect of law by a court. "Respect for the courts" is the banner under which resistance is powerfully gathering against executive relief from the courts' failure. Among the most powerful influences of professional and financial Boston the resolve is "to go through with it." By seeking to identify law and the courts with one of the most shocking injustices in recorded legal history, these blind promoters of judicial infallibility are heedless of the calamity to law and courts which they are sponsoring. An issue is being joined in Massachusetts which is going to the very souls of men and has not had its like for decades. The outcome is still in doubt. It is unthinkable that Governor Fuller will allow these men to die, but a mere commutation for life would be a cowardly evasion more ignominious to the Commonwealth than obstinacy in injustice. Sacco and Vanzetti may yet prove to have been the unwitting instruments of an invigorated civic conscience in Massachusetts, by compelling men and women to search man's relation to man, and the ultimate responsibility of all functionaries, even judges, to the moral judgment of society. Behind the fight for these two human lives lies the deeper challenge to the arrogant claim that courts are infallible, and that to subject them to scrutiny is to weaken the bonds of society.

Half a Billion for Railroad Users

THE recent decision of the Interstate Commerce Commission in the St. Louis and O'Fallon Railway case sets a precedent which, if sustained, will place the value of the railroads in the United States more than $10,000,000,000 below where the railroad interests think it ought to be fixed. For one thing, this means, at the present price level and the present "fair return" of 5.57 percent, awarding to the public and the employees at least $575,000,000 annually which the railroad companies believe belongs to them. Such an award is bound to be contested bitterly, and it is momentous enough to deserve careful examination.

The railroads have been contending for the same principle as was enunciated by Justice Butler in the Supreme Court decision in the Indianapolis Water Case, that the fair value is the "cost of reproduction new at prices current on valuation date," plus an allowance for an intangible called "going value." Since most of the railroads were built before the War, and prices are now considerably higher than at the time of construction, the reproduction-cost principle would mean many billion dollars more of value than the actual investment in the roads. In the present case, which the Commission explicitly selects as an occasion for expounding its general views on the subject, the railroads' contention is rejected.

"It may well be," writes Commissioner Meyer in his admirable majority opinion, "that the valuation of railroads on a national scale requires the beginning of a new chapter in valuation." Most of the previous decisions of commissions and courts have had to do with local utilities. (The Interstate Commerce Commission itself has never before given clear expression to the principles which were guiding its tentative valuation decisions.) "From a composite of all these cases, various principles of valuation, frequently in striking contrast to one another, have been evolved by interested parties according as their interest lies." Yet many considerations affecting administration of the Transportation Act "either do not enter into, or are less easily perceived in, problems incident to the regulation of local public utilities. Limitation of issues, facts, or viewpoints impairs many of the precedents we are asked to follow." A general survey of the entire situation is therefore necessary to reach a conclusion wise and just in its ultimate effect on the nation.

The aim of the laws which the Commission administers, resting on the commerce clause of the Constitution, is stated to be "the maintenance of an adequate national system of railway transportation, capable of providing the best possible service to the public at the lowest cost consistent with full justice to the private owners." The fundamental duty of the courts, so far as railroad valuation is concerned, is to see that the Fifth Amendment is not violated, in its provision that private property shall not be "taken for public use without just compensation." In other words, it must prevent confiscation. But confiscation needs definition. The pioneer case looking toward such definition was that of Smyth vs. Ames, which established the principle that the basis on which the reasonableness of rates was to be judged was "a fair value of the property being used . . . for the convenience of the public" and that the rates should provide a "fair re-

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turn" on that value. The Supreme Court in that case laid down no definite rule for ascertaining the "fair value," but a specified number of "matters for consideration." In the Minnesota Rate Cases, the Court subsequently decided that the determination of value is "not a matter of formulas, but there must be a reasonable judgment having its basis in a proper consideration of all relevant facts." Some of the "matters for consideration" mentioned in Smyth vs. Ames have already been discarded. Another, original cost less depreciation, has been prominent in recent discussion. Still another, "the present as compared with the original cost of construction," now reappears as the cost-of-reproduction principle, which the railroads urge should be considered "to the exclusion of everything else, or at least of everything that might tend to a lower value."

The Commission goes on to point out that, in the last century and the early years of this, no dependable records were kept showing what railroads actually did cost or should have cost, and it was, therefore, natural that cost of reproduction should be given prominence in finding a starting point for the rate base before the War. It was uncertain, but possible to estimate. In a period of gradually rising prices, it was regarded as amply fair to the owners. No such spectacular price increase as the War subsequently brought was thought of.

Toward the problem of defining confiscation at present, the Commission adopts a refreshingly realistic attitude. "The controlling factor in the last analysis is the Supreme Court's conception of what is just and in harmony with a sound public policy. Nor is there any abstract standard of justice that can be applied. The question in many aspects is one of fact, and the answer, if it is to be wise and sound, requires knowledge of actual conditions and a consideration of practical results."

There comes, first, a minor practical consideration. Cost of reproduction, particularly in recent years, is difficult to estimate. There has recently been little construction from which to ascertain costs. Estimates must be built up on the uncertain basis of incomplete published price quotations. Or the estimate may be made by taking a base for some previous year and modifying it with index numbers of prices and wages. But such index numbers differ according to their compilation. Furthermore, rising prices and wages are frequently offset, in their effect on cost, by improvements in the art of construction.

More important is the fundamental aim of regulation. One end, if we are to have an adequate transportation system, must be a continuous inflow of capital into the railroads, an inflow which will be attracted by fair treatment of the capital already invested. This provides what might be called a pragmatic test for confiscation. "It is idle to contend that treatment of private property which attracts and encourages further capital ventures can be confiscatory." On the other hand, regulation should not be "more liberal to the private owners than is necessary to maintain good credit under reasonably prudent, economical and efficient management." Such limitations make stability of income the prime requisite. "To say nothing of the disastrous effect upon the business and commercial world, violent fluctuations from heights of prosperity to depths of poverty are railroad conditions utterly inconsistent with the necessary attraction of private capital."

With regard to the test of confiscation, it is remarked that, since 1920, the Commission has allowed the railroads "rates intended to produce, on the average, a fair return upon aggregate values far below, in all probability, the values which would have resulted from the cost-of-reproduction doctrine. As a matter of fact, the railroads have not earned, on the average, the fair return which the rates were designed to produce." Yet they have, in general, accepted the findings, knowing that higher rates in most cases would have been uneconomic. And, since 1920, the investment in railroad property has been increased by four billion dollars, partly out of income, but largely by the sale of new securities. The credit of the roads has been steadily improving, and many of the companies are beginning to issue new stock, as well as bonds and notes. "With exceptions in certain sections of the country, it will be conceded that the railroads are now in better credit and financial condition, in all probability, than at any time in their history." Service is better than ever before. The Commission might have added that the carefully constructed index number of railroad stock prices just published by Dr. Fred R. Macauley of the National Bureau of Economic Research shows them, on Jan. 1, 1927, at the highest point in history, with the exception of 1910, when they were only two or three points higher. Is this result compatible with the theory that there is confiscation in omitting from the rate base reconstruction cost at present prices? If so, we should even have to admit that "a large measure of confiscation exists in the case of some of the most prosperous railroads of the country, whose securities of all descriptions find a ready market at most favorable prices."

In regard to stability of return, the Commission points out that if we take 18 billions as the value of the railroads in 1914, the cost-of-reproduction principle would have changed the value of precisely the same structures to 41.4 billions in 1920, 35.1 billions in 1921, 28.3 billions in 1922, and 31.3 billions in 1923. "These huge 'profits' and 'losses' would have occurred without change in the railroad property devoted to public service other than the theoretical or speculative change derived from a shifting of general price levels." In 1920, the transportation burden on the people of the country would have been increased by a sum greater

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than the present national debt, "without the investment of a single dollar by those who would reap the benefits." And any railroad largely constructed between 1920 and 1926 would have lost about 25 percent of its value.

Rate increases in 1920, under this doctrine, would have had to be between 75 and 90 percent, instead of between 25 and 40 percent, as they were. The rates would have been so high that the railroads, in self-interest, would probably have hesitated to charge them. Under this doctrine, they would, in self-interest, have chosen confiscation. "Plainly, a doctrine which leads to such a conclusion is irrational."

Furthermore, about two-thirds of the investment in railroad property consists of bonds, notes or preferred stock, which is limited to fixed or maximum returns. Additions to valuation through changes in the price level would benefit only the stockholders, and subtractions would injure them primarily, if, indeed, subtractions could ever be made in view of the need for maintaining railroad credit. This fact multiplies the possible effect upon common stock of large fluctuations in railroad value. Securities which could have been issued upon the reproduction-cost value in 1920 would have exceeded, by more than 100 percent, the securities that could have been issued on the same property in 1914, but if these issues had been made, a large part of the stockholders' equity would have been wiped out by the fall in prices since 1920. "It would be difficult to conceive of any plan more conducive to the encouragement of unrestrained speculation in railroad shares than such a method of valuation." Or difficult to conceive of any plan which, through its effect on freight rates as well as upon securities, would more deleteriously affect business stability.

Actual, legitimate investment as a basis for value gradually reflects changes in the price level, as new investments and replacements are made. The change, however, is not violent and disturbing. Lack of dependable records prevents applying this method in earlier years. Reproduction cost at 1914 prices is, therefore, used for ascertaining the value of the older parts of the roads, in the knowledge that it does not greatly differ from actual cost. Later additions are counted in at the actual cost of the investment. Depreciation is deducted. Adjustments are made for minor factors. Land is counted in at its present market value. That, the Commission believes, is the most practical and the most just way to ascertain the "fair value" of the roads. It provides a method which can be checked up. It is simple and easy of application, involves no great expense or delay, and its results are capable of reasonably accurate forecast. To give any further consideration to reproduction cost, without making it the sole criterion, the Commission believes impossible without depending on caprice. There is no intermediate ground.

If following this method at any time endangers the credit of the roads, on account of rapid changes in the price level, adjustments can be made in the rate of return. Such adjustments can far more easily be effected than adjustments in the value.

Mr. Eastman's important supplementary opinion, while it disagrees with others of the majority on minor points such as the value of land, chiefly serves the purpose of rebuttal to the arguments of the dissenters. These, including one who favors the policy of the majority, hold that the Commission has no business to lay down its judgment of policy, but is bound to execute the law, which, as interpreted by the courts and understood by them, requires giving weight to present reproduction cost. Mr. Eastman replies, first, that there is no binding precedent, and, second and more important, that if there were, it is the business of the Commission to furnish light to the court. Precedents may be reversed or modified. "Where public policy is the issue, law is not a matter of dogmas, nor should reasoning be confined to deductions from past judicial utterances. The vital thing is the essential purpose of the law in its relation to the public interest." The "due process" clause of the Constitution offers wide scope for judicial interpretation, and, in making such interpretations, the court must be guided by its conception of what is just and good public policy. That conception, in turn, is dependent on "political and economic views, habits of thought, extent of knowledge, and degree of enlightenment prevailing not only in the court but in the community generally." Expert knowledge of facts and probable results is highly relevant. "Such knowledge it is the peculiar duty of this Commission to acquire. As to such matters it occupies a daily front seat upon the stage, while the Supreme Court, of necessity, is only an occasional visitor in the balcony." The court may ultimately disagree with the Commission, but it is entitled to the best advice the Commission can give it. This is, we agree, a thoroughly enlightened view of the judicial process, and one which, if universally followed by the courts, would greatly enhance their prestige, especially in dealing with social and economic problems.

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The Way Out of the Chinese Muddle

I

IT has been clear for some time, to close observers of the situation in China, that the continued failure of the principal western powers to take concrete action looking toward coöperation with the moderates in that country, in the readjustment of treaty relations on a basis of full mutual equality, would result simply in a steady increase of the influence of the extremists among the Chinese.

Such observers have also foreseen, as they have publicly stated with the utmost possible emphasis, that the sending of large bodies of foreign troops to China will arouse antagonism which will materially weaken the position of the moderates, and thus add to the danger of mob and other attacks on foreigners and foreign property.

It has also been specifically predicted that any firing by foreign troops or warships on Chinese mobs or cities which was not clearly necessary as a last resort, and after all other efforts had failed to secure the safe evacuation of foreigners from interior points or the safety of foreigners in such coastal cities as may have become temporary cities of refuge, inevitably would result in a nation-wide flare-up of serious anti-foreign feeling.

The rapid increase in the power of the extremists in the Nationalist party, the marked growth of anti-foreign feeling throughout the country following the trouble at Nanking—even though the firing on the city may have been necessary, as a last resort—and other events, during the past month, have shown the correctness of these predictions. They also justify the fear that if matters are allowed to drift, without some clear-cut action to change the psychological atmosphere for the better, the situation in China will become extremely serious. It is still not too late for such action. In a few weeks it may be.

II

Official statements by the United States and some of the other western powers have shown a growing realization in recent months that the new conditions in China make necessary a new approach to the whole question of Sino-foreign relations. Unfortunately, however, the form in which these statements have been made suggests to the minds of the Chinese that they are further pleasant generalities, rather than specific and concrete steps toward the goal which is demanded by a nation-wide and strongly united public opinion: *complete international equality for China.*

Moderates and extremists in China are one in demanding such equality. The moderates are ready to reach it by friendly negotiations, which will be fair to the foreigners as well as to the Chinese. The extremists demand the immediate cancelation of all the present "unequal treaties," the immediate seizure, by force, if necessary, of all the foreign concessions and settlements in China, and the immediate cancelation of all the special "foreign privileges."

Hitherto, the moderates have been in control. In the main, they are still. But there has been, and is, no hope that they can keep that control, unless they are in a position to show very definite results through specific steps toward the desired goal. The foreigners then will lose, not only their special privileges, but also, for a number of years to come, the opportunity to get on a friendly basis with China. Further general statements of good intentions will not suffice at this stage. Specific and concrete action is needed.

III

The sort of action needed was called for by the Porter resolution, introduced in the House of Representatives on January 4, 1927, and, after hearings by the Foreign Affairs Committee, approved by the House by a large majority. The testimony before the Committee showed that American business, cultural and missionary interests concerned with China united in supporting the resolution.

That resolution specifically requested the President to begin negotiations with China, looking toward revision of the Sino-American treaties on a basis of mutual equity and reciprocity. On January 26, 1927, the American Secretary of State declared that the United States was ready to negotiate with China, but raised the question, With whom could the negotiations be conducted? That statement, however, was made to the world at large, instead of being addressed directly to the Chinese through the duly accredited Chinese representative in Washington, and it was not accompanied by a request that China appoint delegates to begin negotiations. It thus remained in the class of pleasant generalities, instead of being a specific step toward definite action. It also reserved to the United States the right to determine when, and under what conditions, the Chinese would be able to select suitable delegates to begin negotiations, instead of leaving that question to the Chinese themselves—as a similar question would certainly have been left, in dealing with any western power.

Had the statement been made specifically to the Chinese, and had it been accompanied by a request

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for the early appointment of negotiators, it would have very materially altered for the better the whole psychological atmosphere in China. It would have come to the Chinese as a concrete expression of the American desire to place Sino-American treaty relations on a mutually fair and satisfactory basis. It thus would have put the moderates in China in the position of being able to substantiate their claim that they could, without violence, make progress in the direction of international equality for China. Much of the foundation for the extremists' anti-foreign agitation would thus have been cut away.

On the other hand, our failure to make that statement in a specific, and therefore effective, form and at that peculiarly favorable time, together with our despatch of large bodies of troops to China, materially weakened the position of the moderates in that country, gave the extremists new grounds for agitation, and thus helped to create the situation which exists today—a situation of rapidly-growing, mutual ill-feeling which, unless something along a radically different line than sending more troops be done in the very near future, can result only in further violence and ill will on both sides.

IV

In dealing with each other, the stronger nations of the West, for a century and more, have recognized that each nation, by the very fact of its existence as a nation, possesses certain inherent rights. The dealings of the western nations with China, however, have, in the main, been based on a fundamentally different assumption—the assumption that it was for the western nations to give or withhold, as they saw fit, or were able, even the basic rights inherent in nationality. One of these basic national rights, for example, is the right of each nation to determine for itself, subject only to general principles of international law, the terms on which foreign residents and foreign goods would be admitted. If a western nation (except a weak one like Mexico or the Central American republics) chooses to limit the freedom of movement of foreigners within its boundaries, or to put high tariff duties on imports, or otherwise to exercise this right, no other western nation would assume it had the right to interfere or to enforce its desires, or to compel acceptance of foreign residents and foreign goods on terms dictated by foreigners. If foreigners do not like to live in, or trade with, any given western nation on the terms that nation sees fit to impose, their proper course is to leave the country and cease trading. Yet, in dealing with China, the western nations have assumed the right to insist that foreigners may live and do business in that country, whether the Chinese desired it or not, and on conditions largely determined by the foreigners.

A second basic national right in the West has been to have the national territory free from the presence of outside armed forces, except as such forces might be specifically invited. If foreign lives were endangered by disturbances, it was for the foreigners to leave, not to call for foreign troops to protect them. If foreign property were destroyed, compensation could be sought when the disturbances subsided. The difference in the attitude toward China is obvious.

Coexistent with these basic national rights there are, of course, certain basic national obligations. In dealings between western nations, however, when a clash has arisen between national rights and national obligations, in the main, the rights have been upheld even at the expense of the obligations, whether these obligations were in the form of treaty commitments or otherwise.

When, for example, France and other nations which had large and unpaid debts to the United States have chosen to float new loans in recent years, the United States has not taken occasion to interfere, except to restrict borrowings in this market. Nor have even the most important western nations assumed to tell even the small Balkan states what their tariff duties should be, even though tariff changes might affect the trade of these foreign nations.

V

This difference in the fundamental assumptions underlying the dealings of western nations with each other and with China has been the principal, though not often the consciously realized, source of the present difficulties in Sino-foreign relations, and of the present anti-foreign feeling in China. That feeling will not die down, and Sino-foreign relations will not be established on a solid foundation of mutual respect and confidence, until the western nations come to base their relations with China on the assumption that she possesses the same inherent national rights which they assume for themselves.

This change in the attitude of the western nations will come in one of two ways. Either the present attitude will be maintained until, through the development of powerful military force, China is able to compel recognition of full equality; or the real desires of the western peoples for peace and friendship with China will find early and clear expression in action by western statesmen which gives concrete proof that the new attitude toward China has been taken.

If the change come by the development of China into a great militaristic nation, the inevitable end will be a disastrous war between the East and the West. If it come through wise and statesmanlike action, peaceful coöperation between the East and the West lies ahead.

The adoption of a new attitude by the western nations would not mean the immediate, unilateral, unnegotiated surrender of all western interests in

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China. Such action would be unfair, not only to the westerners who in good faith have built up their present interests on the basis of the present treaties with China, but also to the Chinese themselves, who have created large interests on this same basis.

The adoption of the new attitude, in terms of the immediate situation, means simply that the western nations should give clear and specific evidence of their readiness to enter into negotiations with representatives of China looking toward a complete revision of the treaty basis of Sino-foreign relations, in a spirit of mutual fairness and full mutual equality, leaving it to the Chinese themselves to say when and how China's representatives are to be selected.

VI

Events in the next few weeks will, in large measure, shape the course of relations between the western nations and China for decades to come. The urgency of the need for specific action which will clear the air of the mutual distrust and antagonisms now so rapidly developing cannot be over-emphasized.

Because of its record in the past, because of its present position, and because the American people, in all sincerity, though perhaps without clear understanding of the detailed issues involved, want peace and fair dealing with the people of China, the United States is peculiarly the one western nation to lead in breaking through the vicious circle of bitterness which now is forming.

Toward this end, both the American people and the American government can and should act at once.

American citizens might well give expression to their real desire for friendly relations with the Chinese in some such terms as these:

1. American relations with China should be based on the full recognition that the Chinese nation possesses the same basic national rights as the nations of the West.
2. The treaties between the United States and China should be revised in accordance with this recognition, and in a spirit which will seek to readjust Sino-American relations so as to place them on a basis of mutual reciprocity and fairness. Negotiations looking toward such treaty revision should begin at the earliest possible moment.
3. During the present disturbances in China, American citizens resident in places where they may be in danger of attack from mobs or disorganized soldiery, or from pitched battles between rival Chinese armies, should be requested to withdraw temporarily to less disturbed areas. American armed force should be used exclusively to protect the lives of American citizens, and of other foreigners who may be accompanying them, during such withdrawal or in a few coastal cities which may be selected as temporary places of refuge.

As an act of wise and far-seeing statesmanship, the American government, voicing the desires of the American people, might well address the Chinese people formally and directly, through the Chinese Minister at Washington, along some such lines as these:

1. The government of the United States desires to negotiate new treaties with the Republic of China on the basis of mutual equity and reciprocity, and requests the proper Chinese authorities to appoint at their early convenience representatives to enter into such negotiations who shall be duly empowered to speak for the authorities and people of the Republic of China.
2. The government of the United States fully appreciates the difficulties created for the Chinese people and authorities by the present disturbances. Its specific acts in dealing with the situation created by these disturbances will be determined, first, by confidence in the friendliness of the Chinese people as a whole, and, second, by a sincere desire to avoid any interruption of the friendly relations between the Chinese and American peoples such as might result from attacks on American citizens by uncontrolled mobs or disorganized soldiery. American armed forces are in China solely because of this desire, and the government of the United States requests the coöperation of the responsible authorities and of the Chinese people in its realization. As already has been done in some cases, American citizens located in places where they may be in danger from mob violence or as a result of pitched battles between contending Chinese armies will be requested to withdraw temporarily to less disturbed areas. American armed forces will be used, if at all, only in such minimum degree as may be necessary to protect the lives of American citizens, or such other foreigners as may be accompanying them, during such withdrawal or in such coastal cities as may be selected as places of temporary refuge.

Action by the American people and government along some such lines, and at once, would transform the whole atmosphere of Sino-foreign relations, and clear the way for an orderly and mutually fair solution of the many problems involved in those relations. Failure so to act in the very near future will result in the growth of mutual antagonisms to a point where friendly relations can be restored, if at all, only after years of effort. It is impossible to over-emphasize the seriousness of the immediate crisis, or the urgency of the need for clear-sighted, statesmanlike action by America.

GROVER CLARK.

Country of the Proud

A fall over rock,
Metal answering to water,
Is the seal of this spot:
A land trodden by music,
And the song forgot.

Of a region savage,
The territory that was broken,
Silver gushed free;
And earth holy, earth meek, shall receive it,
In humility.

But this not habited but haunted,
The country of the proud,
Is curdling to stone;
And careless of the feet of the waters,
As they glance from it down.

LÉONIE ADAMS.

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Chicago

"Gigantic, Wilful, Young"

THE inhabitants of New York are at the moment enjoying a lurid presentation of crime and publicity called "Chicago." It opens with a glimpse of a man, a woman and a pistol. There are a few brutal words, a shot, and in ten seconds the curtain goes down on the crime, and up again on the publicity—reporters, police, state's attorneys, photographers, lawyers, jury, judge, all reaching out for public notice through the guilty woman, who is the most avid of all. She beats the case, but in the moment of her exaltation another shot is heard, and all, reporters, police attorneys, photographers, jury and judge, rush to greet the new heroine. The latter is a trifle disconcerted, and shies away from the camera men and sob sisters; whereupon the first murderess takes her encouragingly by the hand and explains: "Come on, sister. You got to play ball. This is Chicago."

It is rumored that the producer of the show intends to take it to Chicago, under the title "New York," but no one will be fooled by this device. The material of the piece is identifiable with the peculiar relation which exists in Chicago between crime and publicity, represented respectively by the state's attorney's office and the two morning papers, the Tribune and Hearst's Examiner. For example, a year ago a young bootlegger, named Martin Durkin, killed a policeman, escaped, returned to Chicago to see his mistress, fled again, paused in southern Illinois to marry, and, after a month of honeymooning in an automobile, was gathered in by the federal authorities at St. Louis. On his arrival at the Union Station, Chicago, with his girl-wife and her aged parents, whom the officers had stopped to pick up, there was a scene beyond description. The station was thronged, when, amid exploding flashlights and the whir of moving picture cameras, the party was confronted by the Chicago police, who demanded as their own the criminal from the federal officers. In the confusion, the Chicago deputy chief lost his watch; and Mr. Hearst's young men succeeding in abducting the girl-wife for a special interview. A fact which would have impressed a stranger was that the sympathy of the crowd was with Durkin. The station rang with shouts: "We're for you, Marty." This enthusiasm continued for several days. The moving pictures of the scene at the station brought forth cheers for Martin, boos and hisses for the police. The Mayor had to forbid the films. The newspapers, whose experts judged the story to be the best crime stuff ever known, in many particulars more meritorious than the Leopold-Loeb case, became frightened at the line the public was taking. The write-up men were instructed to put the gates up, to interrupt their tale of crime and flight and capture with exclamations of personal distaste, but still public interest poured foaming over these slight obstacles. The Tribune finally found a dam. In its search for details regarding the early life of Durkin, including his baby pictures, it ran against an unwillingness on the part of the family to part with these tokens except for cash, whereupon it denounced the Durkins for trying to form a news trust, to hold out on the public, and made a virtue of excluding Martin from the first page. It worked. Some weeks afterward, Durkin was convicted of the misuse of an automobile, and later was divorced. Meanwhile, the public was compensated, by the shooting by machine-gun of an assistant to the state's attorney, while riding with a couple of bootleggers. Though the close association of the state's attorney with gangsters and leaders of crime was shown by photographic evidence, this official was permitted to guide the deliberations of the grand jury, which brought in an indictment of the Volstead Act, and an endorsement of the Chicago Crime Commission—the latter, doubtless, ironical.

Apart from reminiscential detail, "Chicago" suggests the atmosphere of its birthplace and name city. There is a crudeness about the light which beats upon the high points of the city's eminence, a stridency in the tone with which it cries its wares, an exaggeration and over-emphasis of that for which at the moment the city chooses to stand, which are characteristic. Today it is crime. Yesterday it was patriotism. It was in Chicago that a jury, guided by Judge Landis, brought in verdicts against a hundred members of the I. W. W. in something like half an hour; and in Chicago that Governor Lowden won the War by suppressing by bayonets a convention of the People's Council. Before that, it was culture. Everyone has heard the old gag, ascribed to a Chicagoan, about making culture hum. But if the city in its eagerness and emphasis tends to lend itself occasionally to ridicule, it must be admitted that only by such methods could enterprises of great pith and moment be brought to fruition in such surprisingly short time. The keen light, the vibrant air, the hot breath of public excitement, make the city a forcing house. The founding of the orchestra, the miraculous growth of the Art Institute and the University, the World's Fair, are among its fruits. It would be tedious to name the undertakings in which Chicago has been a pioneer. The juvenile protective association and the juvenile court, the protection of immigrants, the psychopathic laboratory, juvenile research, small parks

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and forest reserves, industrial coöperation between manufacturers and workers in the clothing trades—all these are the result of energy and directed will.

For the moment, perhaps, the chief uplifting effort of Chicago is to correct the physical deformity which it suffered in its rapid growth. This deformity, like certain other misfortunes in history, came from unrestricted opportunity. The city lies on a flat alluvial plain between the old lake shore and the present one, with almost no natural obstacles to determine its growth—a paradise for city planning. The westward-moving pioneers found a grateful variation in their mode of travel by striking the lower end of Lake Michigan and ferrying across. The point of departure was St. Joseph—that of disembarkation was the harbor made on the western shore by the Chicago River. The village which grew up there became the distributing point for the whole West, the focus from which trading routes spread like the bars of a fan. The early merchants took to themselves various provinces of this business empire—Field and Leiter took dry goods; Armour and Swift, meat; McCormick and Deering, farm machinery; Edson Keith, hats; Medill, news; Hibbard, Spencer and Bartlett, hardware; Franklin MacVeagh and the Spragues, groceries. George Pullman invented the sleeping car, once known as the palace car, to transport human freight. Later came Montgomery Ward and Julius Rosenwald to organize distribution by mail. Naturally the railroads were of first importance. The caution of the city which permitted the Illinois Central to enter its limits only on piles sunk in Lake Michigan gave place to recklessness. Stand on the Twelfth Street Viaduct at night and you will see below you by the aberrant headlights a vast confusion of tracks—the New York Central, the Rock Island, the Atchison, the B. and O., the Burlington, the Alton, the Pennsylvania, the Eastern Illinois, the Monon, the Grand Trunk and the Wabash—making an inflamed wound in the vital part of the city. The tracks cross and recross each other, in their efforts to get out. In spite of viaducts and track elevation, the railroads offer an immense obstacle to the natural breathing of the city, which narrowly escaped being smothered in its swaddling clothes. At present, the new Union Station has brought the Pennsylvania, the Burlington, the St. Paul and the Alton into some sort of conformity; and it is planned to reduce the four stations on the South Side to two. But what is needed is a complete redrafting of the railroad map of Chicago, with exchanges of territory and straightening of lines.

There is another malformation from which Chicago suffers, which is entirely its own fault—that is the Loop, an oblong structure of elevated tracks over which all elevated trains pass, whether coming from the north, south or west. Within its few acres are concentrated the great mercantile and financial establishments which make the business city. The Loop was a calculated device. While the retail business of New York has moved in a generation from Eighth Street to Fourteenth, to Twenty-third, to Forty-second, in Chicago it has remained anchored to one spot. Michigan Avenue lies just outside the Loop, along the old lake front, and naturally business spilled over into this boulevard. It ran south, wrecking and displacing many of the finest old houses in Chicago. Within the last few years, a bridge has been thrown across the river to the North Side, and a spectacular development has taken place—a group of skyscrapers, including the Tribune and Wrigley buildings, has sprung up, pointing the way to business along the north shore. The opening of Wacker Drive, leading to the west along the river, and of the great diagonal of Ogden Avenue, further threaten the exclusive domination of the Loop.

If Chicago has messed up its inland situation, it has used its lake front grandly. Fortunately, it became conscious of its opportunity only late, when it was prepared to appreciate it. For long years, the lake existed merely for the carrying trade; the city, except for a few indefatigable yachtsmen, turned its back upon it, and allowed the Illinois Central to build beaches and widen its terminal facilities at will. The World's Fair revealed the possibilities of beauty in the lagoons of Jackson Park; soon after, bathing beaches were opened beyond the Central tracks; a grandiose municipal pier was thrown out a thousand yards into the lake; an outer drive has been constructed, leading entirely around the congested district. A hundred-foot roadway gives freedom of movement to thousands of automobiles, without the necessity of traffic regulation. Within a year or two, this drive will lead from Jackson Park to the North Side, ten miles; and the possibility of still more sweeping arcs is obvious. No city in the world can accommodate itself to automobile traffic as can Chicago.

The Outer Drive and the Loop—these at the moment stand as symbols of the two complementary factors in Chicago's being. An outsider is constantly puzzled by the alternations of energy and quiescence, of progress and regression, in the city's history. The great outburst of activity which followed the Chicago fire of 1871 culminated in the World's Fair. It was directed by the grand-dukes of the first generation. There was, however, already a second generation sprung from an earlier group of pioneers, and it was to its representatives that such projects as the Art Institute, the Orchestra and the University owed their start—and to the women. Chicago, in its social and cultural life, has always been something of a matriarchate. There used to be amusing stories of the way in which the wives of the grand-dukes held them up for the financial support of the orchestra, and then displayed them asleep in their boxes while Theodore Thomas effected the musical education of the city. This was the best period of Chicago archi-

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tecture, when Root and Sullivan were building the Monadnock Building and the Auditorium. At this time Jane Addams and Ellen Gates Starr went to live at Hull House, and a multitude of social experiments were set afoot. There was even a creative writer of distinction, Chicago-born and bred, Henry B. Fuller. The fatigue and strain of a World's Fair, carried on in face of a panic, perhaps account for a slowing up in the progress of the city. It was, on the whole, remarkable that all its major enterprises survived. They did so with a distinct loss of vitality. Today, however, there is an awakening on the part of both universities, Chicago and Northwestern, and a development of medical education which will make Chicago its chief center in the country. The Art Institute, with its immense schools, has come into young and vigorous hands. A group of original and creative writers, Sherwood Anderson, Ben Hecht, Carl Sandburg and Edgar Lee Masters, appeared—it must be added that it quickly dissolved. Except for Sandburg, they found Chicago no continuing city. Nevertheless, the persistence with which the city experiments with drama shows a refusal to abandon its ambition to be a literary capital—and Miss Harriet Monroe's "Poetry, a Magazine of Verse," lives to stimulate native and to offer hospitality to foreign talent.

It is, in a sense, absurd to write about Chicago as if it were one city. According to evidence of race and language, it is nearer a hundred cities. The earliest immigrants to Chicago, however, came from the seaboard states, chiefly from New England; and the men who gave it preëminence and determined its character were, with few exceptions, of that stock. The typical Chicagoan today remains a New Englander, modified occasionally by an infusion of other American or North European blood; and frequently by contact with other races. This mixture and mixing have given to the Chicagoan a geniality and good-nature which becomes a tolerance unknown in the cradle of the race. As the host of innumerable conventions, business, religious, educational, professional, fraternal, the Chicagoan knows how to put up with all sorts of opinions, and to provide all sorts of hospitality.

During the War, Chicago was, next to New York, the most tolerant city in the country, although even more blatantly patriotic. One has only to remember the treatment accorded to the leaders of the orchestas in Chicago and Boston. Chicago asked Mr. Frederick Stock to abstain from leading the orchestra in public, in order that his German birth and lack of American citizenship should not offend the patriotism of music lovers. Boston sent Dr. Muck to Fort Oglethorpe.

But the Chicagoan keeps his prejudices, though he is tolerant of those of others. Opinion in general, in Chicago, has not advanced much beyond the War. It tends to favor the League of Nations, the cancelation of the Allied debts, and the invasion of the Ruhr. It fails to recognize any sacrifice of national honor on the part of the United States at the Paris Conference, or to admit any change of view in regard to the moral status of the combatants since August, 1914. It accepts Mr. Hughes' attitude toward Russia, Mr. Kellogg's toward Mexico and Nicaragua, and Mr. Silas Strawn's toward China. Above all, it has a deep and abiding affection for Mussolini.

Some thirty years ago, the flamboyant journalist, W. T. Stead, wrote, as the result of a brief visit, a book called "If Christ Came to Chicago." A new edition would recommend itself to local taste under the title "If Mussolini Came to Chicago." For the most part, the results which Stead imaginatively attributed to Christ's leadership are more characteristic of Mussolini's. Some of them have been achieved without the interposition of either savior. The saloons and brothels have been driven under cover; the streets have been paved; the municipal lodging-house has replaced the foul Harrison Street jail as a refuge for the homeless. Grade crossings have been largely eliminated. The wretched system known as the "justice shop" has been replaced by municipal courts. Above all, the great park along the lake front, with boulevards and lagoons, is rapidly becoming a reality. On the other hand, many more of his prophecies remain unfulfilled. Chicago is not yet the seat of the federal government; the oceanic waterway is not built; the drainage canal is not allowed to supply power to drive all the machinery of the city; the gas trust is not broken up; the smoke nuisance is not abated; the street railways are not furnishing free service, under municipal ownership, nor are the lighting and telephone companies, nor is Marshall Field's store conducted as a public enterprise. Indeed, the failure of collective effort is one of those extraordinary lapses in persistence of which Chicago's history is full. A few years ago, the education of the city in the theory of municipal ownership seemed far advanced, and strong public sentiment was aroused. In preparation for the ending of the twenty-year franchises of the surface railways, a plan for assuming control by the municipality was the subject of an excited referendum. In fact, the plan was opposed by advocates of municipal ownership, because it did not go far enough. Today, with the franchises actually expired, the streets once more in the possession of the people, there was no word of municipal ownership in the recent mayoralty election. The city was content to let either party make what bargain it would.

One thing Mr. Stead saw clearly: that was the importance of leadership to Chicago in its adolescence. He expected the Roman Catholic Church to provide such leadership, in the person of Archbishop Ireland, but the hierarchy had other plans. Whence is this leadership to come? It was natural that the founding fathers should have expected to leave sons to walk in their footsteps. The failure

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in this respect of the Fields, Armours, Leiters, Pullmans, has tended to throw the great enterprises with which their names are connected into new hands. But the ingrowing tendency is still strong. For Chicago has, with its metropolitan outlook, the soul of the village. It takes great satisfaction in an intimacy of understanding among friends. In spite of the greatest newspaper and greatest orchestra in the world, it is a bit timid and wistful. While it carries off crime and the stockyards with a leer and a swagger, it is watching for the glint of ridicule in a malicious eye. It has, under all its brag and bluster, something of an inferiority complex. Thus, while Chicago feels safer with an insider, it is peculiarly susceptible to the leader from outside who understands its psychology.

The outstanding case of imported leadership is that of Samuel Insull. An Englishman by birth, he became the Chairman of the State Council of National Defense, during the War, since which he has extended his control of the light and power companies of the city and of northern Illinois, the gas company and the elevated roads. The penetration of his baleful influence to national affairs was shown by the Reed committee, which uncovered his contributions to place Colonel Smith, Chairman of the Public Utilities Commission of the state, in the United States Senate. His control of the city has recently been confirmed by the election of Mayor Thompson. The measure of Chicago's decay in leadership is shown by its reliance on this self-seeking upstart. When the opera passed out of the uncertain hands of Mr. Harold McCormick, a native son, it was to Insull that it fell. It is a bit of irony that might have disturbed Mr. Stead's faith in Providence that, when Chicago cried out in his pages for Christ, the call should have been answered by his compatriot—Samuel Insull.

There are days in Chicago when the wind blows across the lake in the track of the first pioneers, and drives the clouds and smoke inland. The sunlight falls with a clear, hard radiance, and the city shines as if burnished. The high buildings along Michigan Avenue throw a brilliant skyline, and far out beyond the new lake front gleams the turquoise water. One thinks of the great cities of the past—seats of empire and of culture, and sees Chicago emulating their greatness. And there are days when the wind blows from the west, bringing the dust and waste all the way from Omaha to strew upon the dishevelled landscape. The clouds hang low, and beneath them are caught the greasy smoke and gases of the city. Then the heart of man despairs, and one remembers Wells' comment—"A monstrous lapse from civilization." Such days suggest whole periods in the city's history, one of which is perhaps beginning. But the story is not yet finished. Chicago, in its alternative moods, is still in the making, as Moody saw her:

> Yonder where gigantic, wilful, young
> Chicago sitteth at the northwest gates,
> With restless, violent hands and casual tongue
> Molding her mighty fates.

ROBERT MORSS LOVETT.

(This is the first of a series of articles in which various writers will describe interesting American cities. The second will appear in the near future.)

"Sex" on Trial

IN REGARD to censorship of books, plays and periodicals—of which so much is heard nowadays—there are three main schools of thought. Some people believe there should be no censorship of any kind. Others feel that we should have a censorship like that which exists, for the stage, in Great Britain, which prevents production of any play which is held by the censor to be undesirable. Finally, there is what might be termed the middle ground. Its disciples argue that there should be no preliminary censorship; but that, if a play or book or other form of artistic creation is offered to the public, and comes under suspicion of "immorality," it should be subjected to the due process of the law, and given a fair trial.

Well, the proof of the pudding is how it digests. New York City has just had an example of the third of these systems, in the trial of the Moral Productions Corporation. Despite its virtuous name, a New York jury has found it guilty of having "tended to corrupt the morals of youth" by producing an obscene play, "Sex." It is fair to assume that the trial was characteristic of proceedings of this sort; and for that reason it has an interest far more than local in extent.

Five days were consumed in taking testimony; two days by counsels' summation, and over five hours by wrangling in the jury room. Beside the corporation, twenty-two individuals were found guilty. They violated section 1140A of the New York state penal code. The crime, a misdemeanor, carries penalties of ten days to one year in prison, and fines of from $50 to $1,000. The trial was held in the Court of General Sessions. Judge Donnellan will pass sentence in a week or two.

With that healthy distaste true Americans have for tampering with business, the jury acquitted the Sixty-third Street Theatres, Inc., which leased Daly's to "Sex." The Court, on motion, had previously dismissed the charge against John Cort, president of that corporation. During the trial, it

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was testified that Cort's corporation received the first $1,800 of the ill-gotten gains, the Moral Corporation the next $2,200, and that thereafter both shared on a fifty-fifty basis. Gross receipts were estimated at nearly half a million dollars. A law has just been adopted in New York state which provides for a year's padlock of a theater wherein an immoral play has been produced.

The indecent drama had been played 388 times from April 26, 1926, to March 19, last. It was raided by the police on February 9, being protected thereafter by Supreme Court injunction. More than 300,000 persons had more or less willfully exposed themselves to corruption. Seventy-five percent of them were women, police testified.

Eleven witnesses, who had seen the drama of prostitution, were placed on the stand. No attempt was made by Assistant District Attorney James G. Wallace to show that these persons were now impure, or that they had ever been pure. Norman P. S. Schloss, chief defense counsel (there were six in all), likewise made no effort to establish their present purity. Both Mr. Wallace and Mr. Schloss had seen the play; the former in the way of his duty; the latter, he said, for pleasure. Mr. Wallace did not take his wife; Mr. Schloss did.

The verdict marks the triumphant climax of police censorship of Broadway, which began with the simultaneous raiding of "The Captive," "The Virgin Man," and "Sex." Public credit for the drive was taken by a former actor, now Mayor James John Walker, although many are willing to share the unofficial division of credit with Patrick, Cardinal Hayes. "The Captive," a drama of abnormal sex relations between women, closed voluntarily. Three Justices in the Court of Special Sessions found "The Virgin Man" obscene, and gave two producers and the author-producer a ten days' sentence and a fine of $250. The actors received suspended sentences.

"Sex," it was generally predicted, would escape, even though it was just as freely believed that this drama, the combined work of at least three inspired pens, including that of Mae West, who played the lead, was the most offensive of the three dramas. By clever legal maneuvering, a Supreme Court order had been obtained, transferring the trial of "Sex" to General Sessions, where a jury would render the verdict. Special Sessions, where the three Justices administer the law, is colloquially known as "the slaughter-house." And so counsel for "Sex" were congratulating themselves.

"As soon as Supreme Court Justice Bijur signed the order transferring our case to a jury, I knew we had won," declared Harold Spielberg, counsel for James A. Timoney, to newspaper men as the trial began. That, too, was the feeling of Mr. Timoney, described by the District Attorney as "the chief defendant." Mr. Timoney, a florid, Irish, bull-necked lawyer, had acquired considerable notoriety before the trial, due to his frequent boast that he intended to produce "The Drag," a homosexual comedy, on Broadway, right at the height of the censorship drive. "The Drag" opened out of town, but was permitted to die somewhere in New Jersey.

As counsel for Earl Carroll, whose flair for publicity started him on the way to the Atlanta federal prison April 12, to serve a year and a day as a result of perjuring himself in the Joyce Hawley bathtub proceedings, Mr. Timoney had learned a great deal about the theatrical business. Not for nothing had Mr. Timoney sat at the feet of his theatrical Gamaliel. And so, when an East Orange playwright brought him a gripping, if somewhat torrid drama of prostitution called "Following the Fleet," Timoney, according to the testimony, had it doctored by Miss West and others. Then, with a greedy eye on the box-office, he dubbed it "Sex."

Thirty talesmen were drawn before the jury was empaneled. All members of the jury had declared that they had no prejudice against seeing prostitution portrayed on the stage; all were rather steady theater-goers; practically all were married, and, with one exception, they were forty or more.

After openings not more than usually misleading, a script of the play was put in evidence. Then Sergeant Keneally was called to the stand. He had seen the play only three times, but astounded counsel, Judge, and courtroom by being able to repeat the play line for line.

It became clear from Keneally's testimony that much of the obscenity, if any were found, lay in what came to be called the "Belly dance," "Feather," "English Channel" and "Couch" scenes; in short, various stage business. Another witness, Harry Cohen, testified that he had told Mr. Timoney and Miss West at the out-of-town opening that "the dance they were doing was what we would call the belly dance or the kootchie, and that that would not go in town."

" 'As far as that is concerned,' " Mr. Cohen said Mr. Timoney told him, " 'we were hoping for an arrest, so that the show would go over big in New York with the reputation of an arrest on the road.' "

Mr. Cohen, a cloak and suit man who had advanced $4,000 to Timoney for a half interest, which money Mr. Timoney later repaid without dividends, was then asked whether Miss West had commented.

"Yes," replied Mr. Cohen. "Miss West said that 'They want it and I will give it to them. What we are interested in is the box-office receipts.' "

Despite this chilling attitude towards art and morality, Mr. Cohen later testified that he, too, thought there was a moral to the play, and believed Mr. Timoney when the latter said "that with all this notoriety and free publicity, it would hit all over the country."

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A yawning discrepancy was soon apparent between the descriptions of the more vivid and crucial stage business as vouched for by the morally offended Sergeant and as revealed by the assistant stage manager, to whom all things were pure. The jury learned, however, that in three acts a prostitute, however low she may have fallen, can tire of her trade, can fall in love with an innocent boy, but can give him up just in time for the final curtain. In that final renunciation, pointed out the defense counsel, in a really gripping burst of pleading, lay the moral.

The proposal by Mr. Schloss that the drama be reënacted before the jury was indignantly objected to by Mr. Wallace, who asserted that the whole play would be modified, particularly as to its business. Judge Donnellan denied the motion, briefly. Whereupon, the jury was turned over to counsel for summation, eight and a half hours of it.

Beginning the summation for the defense, Mr. Spielberg admitted that "it would be foolish were I to try to tell you that James A. Timoney had absolutely nothing to do with the play." Pointing out, then, that Timoney, perhaps, had "not the culture or education he might have," and that Miss West, too, might be similarly lacking, he asserted that Mr. Timoney was a lawyer, and asked:

"Did these people mean to go out and debauch New York City, or did they simply go and try to put over a show and try to make as much money as they could?" He contended that "a standard of decency is really a matter of opinion in the last degree. It is not a question of fact. . . . I say with all sincerity that that show could not corrupt a moron, that it could not corrupt anybody. It shows a lesson that is disgusting.

"What conclusion must you come to? It may not be a beautiful play. It may not be a very delicate play. Not artistically done, but it has a moral. It paints life in the ugliest possible colors, and it shows that in the heart of the lowest woman there is a spark that may redeem her if she gets a chance."

Mr. Spielberg, too, read from Act III, Scene 2, of Hamlet, wherein "country matters" are spoken of, which, he suggested, Sergeant Keneally, having a vicious mind, would find very objectionable. He himself, however, spurned the idea that Hamlet was therefore "lewd, indecent, or lascivious." "Not at all," he assured the jury. He quoted, also, from the Bible, but declared it, too, a great book, when measured as a whole, and in consideration of its many moral lessons, despite occasional lapses.

Mr. Schloss was less ready to admit that the play was the "nonsense and drivel" Mr. Spielberg declared it. He thought even higher of its moral qualities, and contended that with a little rewriting it could be made proper for Mrs. Fiske to star in. In an access of enthusiasm, lasting several seconds, Mr. Schloss assured the jury it was a "marvelous play," pointing that great moral that "good is good, and bad is bad."

Wittily, sarcastically, bitingly, somewhat laboriously at times, Mr. Wallace, in his summation, took up the play, line for line, and left nothing but the obscene skeleton of its theme and dialogue dangling before the eyes of the jury as they retired. Further, he enunciated the refreshing idea, which may go far in these days of "true story" magazines, that the law does not permit "*any* story to be told, just so it has a sad ending." Later, Judge Donnellan, in a fair, dignified, and brief speech, charged the jury to much the same point.

The jury was asked to consider "Sex" as "intelligent New Yorkers," judging its morality "according to the standards of morals in this city, at the present time." The statute, he said, "is an important one, but should have a reasonable, not a strained interpretation." It was designed to protect the immature, he said.

The first vote of the jury was nine to three, the second eleven to one, after four hours' debate. Finally, after returning for instructions, and arguing another hour, the verdict was "Guilty, as charged."

When the jury returned for instructions, Timoney, the arrogant, bull-necked lawyer, who had commented profanely and audibly on the District Attorney's efforts during the trial, began to realize that his hoped-for publicity was proving a boomerang. His self-assurance began to wane. Spielberg moved over to him, patted his sagging shoulders encouragingly, and urged him to "buck up."

"Leave me alone," he said, "I'm praying." He was, indeed, moving his rosary swiftly through stubby fingers.

Within an hour, he and the others were convicted.

BRUCE GOULD.

"Spread Eagle"

Spread Eagle, by George S. Brooks and Walter B. Lister. Martin Beck Theater. April 4, 1927.

IN a sort of rough and ready way, "Spread Eagle" is an encouraging thing in our theater. What it says is, of course, long since familiar to people who do much thinking for themselves, or read anything outside the usual printed food dished out to a usually thoughtless public; but the theater, by its very nature, is slow; it is behind the upper levels of current ideas, and waits for them to undergo a certain generalizing and spreading out before it can avail itself of them. What "Spread Eagle" takes up is the good hot subject of intervention in Mexico and the perennial relation of big business to war. This play is encouraging, then, because it wants to say something, and because its matter is piping hot and close to American life, and thereby provocative and alive. It is encouraging, too, because of its free, bold use of its medium.

This side, so rattling good, of "Spread Eagle," will best appear in an account of the play as it goes through from first to last.

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We see a handsome office on lower Broadway: it is that of Martin Henderson, the financier. His confidential secretary or manager, Joe Cobb, from Vermont, is busy with the numberless important details of the concern: appointments, conferences, interviews and so on. He talks with a pal from the Great War and we learn what sort of man he is. He has been to the front, he answered the drums and propaganda, went away, served, came back disillusioned. He pours out words on the history of Martin Henderson, one of the dollar men in Washington during the War, one of those who fattened on war profits, who was a great patriot. And now Joe, the sap that he is, serves him. A Mexican general is waiting for an interview, has been kept waiting very carefully. Henderson's daughter, Lois, brings a young man for a job in her father's business. Joe loves her and she would love him; but it is a part of his confusion and thwarted logic and part of his ironical situation in the service of an evil he so well comprehends, that he cannot go straight to this happiness, cannot see life more directly, cannot discover some of the simpler bases on which he might live and be whole. He might have Lois, but does nothing about it; love itself is a sort of mockery in his disillusioned existence. The young man is Charles Parkman, the son of a late President of the United States. He is kept waiting while Henderson sees General De Castro and arranges to give him six or seven hundred thousand dollars to start another revolution in Mexico. De Castro is to make enough trouble to warrant our intervention, for the people of the United States are not yet ready for such a step. Young Parkman is next. He is given a job at the Spread Eagle Mines of the company, in the hope that he will be killed by the revolutionists; what could there be more sure to inflame the public mind than the martyred son of a President? Charlie accepts the position, risk and all; he loves Lois Henderson, who does not love him because he is too undeveloped; he will do anything to be worthy of her. Joe, before letting Parkman go, has made sure that Lois does not love him.

This is the situation, this launches the play, which, as is now evident, will study Henderson and his manipulation of events for another war and for the protection of his investments.

The second scene is at the mines in Mexico. The revolution is harrying the country. The manager, with trains stopped and telegraph wires cut, is escaping on horseback.

There is a woman also, Rosalie Kent, whose husband first came to this high place for the sake of her health and has been shot by Mexicans. She has been given his job at half salary. She cannot leave the altitude, but urges the men to go. Young Parkman, in a burst of loyalty, sticks by the mines and her. In despair at last, they are about to go, when the soldiers come. Both are shot.

The next act is on the screen of a New York movie theater. Pathé News is showing our navy and army getting into action, the boys entraining and Martin Henderson, as head of the forces and dollar-a-year man, setting out for the scene of war. And in the next scene we are at Broadcasting Station WPIX. We hear the war news, hear how the people's heart is stirred for the martyred boy, our White House Baby, our great President's son. The last act is in Martin Henderson's private car at Matamoras. The war is on, by all the signs, there is marching, commanding, whoring, drinking, patriotism and dysentery. Lois has come with her father. Charles Parkman's death has broken her, she blames herself for it; she loves him at last. Joe Cobb is filled with old memories, old confusions, and a new shame. Then Parkman returns. He has been only wounded, and has crawled away to safety, burning with the realization of the game played on him, afire to confront Martin Henderson. Joe Cobb again saves Henderson; he threatens Parkman with the story of his desertion of a woman, points out to him how helpless he is with Henderson owning the newspapers. Parkman is broken. Lois takes him to her bosom; Henderson has the torment of seeing his daughter married to the man who knows what Parkman knows. Joe Cobb joins the army again. The band plays the national anthem. Henderson sits with his head in his hands. Joe shouts to him: "Stand up, you ————!" Curtain.

The story speaks for itself. The uses of the moving picture and radio and expletives have their enlivening function. The virtues inherent in this lusty theme are manifest, and also in the raw attack now and then, and in the accuracy of much of the detail. The character drawing is, on the whole, fair, as the theater goes; that of Henderson and Joe Cobb is admirable. The writing in the first act is capital, and many of the prize lines are lively and sure to click. On the whole, "Spread Eagle," then, is decidedly a play to see.

But subject-matter, however striking it may be, and whatever timeliness it may have, and however grateful it may make us for getting itself aired at a particular crisis, is not all of a work of art in the theater. On no very high grounds of criticism we may say that "Spread Eagle," after that capital first act, gets mixed up and blurred. It is, too, often very poorly written and apt to wander into mere melodrama. The scene at the mines has little imagination or power or even faith in itself; it merely gets its job done. The last scene, after a very fine moment when the boy is beaten down from his just anger and shame, and broken on the threat of ruining him in the press, runs off into a love scene that has none of the reality needed to keep up the dramatic pitch. In fact, though the story heads for something most exhilarating as theater, and the play, by virtue of that, keeps going pretty well all through, the only really well done passages are those dealing with Joe Cobb and Martin Henderson and exhibiting such keen cross-currents of caustic observations and cynical detail. Henderson's soft and helpless devotion to his daughter, and Joe's turning soldier at the last, are fine motives; the effect of the last ironic, defeated curtain is more or less thrilling.

Mr. George Abbott's directing and Mr. Norman-Bel Geddes' settings for "Spread Eagle" are straight and adequate at the least, though not notable. The company is tolerable enough, as the general run of realistic acting goes. Mr. Allen Vincent in his one well written moment, Parkman's return from his supposed death, is convincing and good. He has much to bring to such youthful parts, feeling, good looks, high sensitivity, if he would only open up his voice and better his diction. Miss Aline MacMahon in the last five minutes before the shooting—her only good ones—does clear, moving work. Mr. Fritz Williams brings a good, professional performance to the part of Martin Henderson, never too much underscored; and Mr.

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Osgood Perkins, in the fat part of Joe Cobb, with his introspective, engaging rattle of ironic reflections, and his Yankee wits, and his bouquet of all the effective lines in the play, gives an excellent performance. The mining Mexicans of the lesser players and the priest of Mr. Malcolm Duncan are pretty bad; Mr. Felix Krembs' general will pass for the stuffed, footlight variety of Mexican that we are familiar with in drama; Miss Brenda Bond's Lois is bad acting, but passable Broadway.

STARK YOUNG.

"Fire-Alarm"

THE first expressionist play we ever did at the Hole-and-Corner Playhouse was a piece called "Fire-Alarm" by a man named DeGross Wilbur. We put it on because the author had offered to finance it himself. The play was in eighteen scenes and dealt with the nervous breakdown of a worker in a paper-box factory. In the first scene, you saw him making boxes: he and the other workers wore pasteboard masks of the same material as the boxes and performed monotonous movements in unison. Finally, a gong is sounded for quitting-time and all the workers leave except the hero (who, in the program, was simply called The Man): he gets up and looks about him: the lights have been turned on the scenery (which has been hitherto left in darkness) and he realizes that he is imprisoned in a great paper box. Then the sides of the box become transparent and he sees the families of the officials and the share-holders of the paper-box business parading pompously about him. A pretty girl seems to smile at him and he tries to go to meet her, but finds that he is balked by the sides of the box. A policeman threatens him and he falls in despair to the ground. The next scene was a long soliloquy: the stars have come out in the sky and the Man can see them through the paper box. They are red, yellow and green and are continually going on and off (the author considered it was silly to have stars of the conventional sort, when no one saw them that way any longer: these were modern American stars and ten times the ordinary size). The Man apostrophizes the stars: "Oh, little jazz-babies," he says, "oh, little jazz-babies, twinkling so bright as you dance the shimmy of the spheres! Oh, little jazz-babies winking with the mascara of night on your eyelashes!—look down on the great smoky city and tell me where my sweetie is!" This goes on for some time. The next scene is still in the box. The owner of the factory appears and tries to induce the Man to go back to work; then a member of the union appears and tries to induce him to strike. Both were played by the same actor, with the same make-up but different clothes: the Man sends them both away, telling them that their aims are identical and that he has no use for either. Then there is another long soliloquy; then a physicist appears. The physicist explains that he has discovered a new system of morality based on the quantum theory. He is also master of the structure of matter and, by the application of powerful rays, causes the paper-box prison to disappear. Thereafter, the play presents the adventures of the Man and the Professor of Physics in their pursuit of the new code of morality. The principal feature of this code is discontinuity: whatever you have been in the habit of doing, whatever people have come to feel that they can depend upon you to do, you suddenly begin to do the opposite. This enables you to rob trusting friends, to trip up people walking on the street and to put knock-out drops in the cocktails of people you have invited to dinner. The Man and the Professor of Physics experiment with all these things, but they all turn out disappointing. The trusting friends turn out to own nothing but bogus oil stock and the drugged guests have nothing in their pockets but pocket-handkerchiefs and penknives and are wearing false dress-shirt fronts and made-up hook-on ties. The people tripped up on the street turn upon the practical jokers, and one of them hurls the Man through the plate-glass window of a fashionable modiste. There he encounters the girl who smiled at him and whom he has ever since been seeking, but she turns out to be a wooden mannequin. In his disillusionment and chagrin, he exemplifies the morality of the Professor by assassinating him on the spot and throwing him down a drain. But, in a moment, the Professor reappears, the same as ever, but with a different light. We realize now for the first time that the Professor represents Truth, which is unchangeable and indomitable. This is conveyed to us in a soliloquy by the Man. Toward the end of the soliloquy, a large rhomboid at the back is seen to begin to glow. "Come with me," says the professor, "into the Light!" And both advance into the mercury-tube dawn.

When I first read the manuscript of this play, I felt a good deal of interest in a young paper-box worker—I had been given to understand that the author was himself a paper-box worker—who had developed such a singular vein of fancy. But when I met DeGross Wilbur, I discovered that he was a pale, vain young man, who not only had never seen a paper-box factory in his life, but had never even been near the textile mills where his father made bathing-suits. It was the money from the bathing-suits, however, which financed DeGross' play. I asked him how he had come to write the play, if he had no feeling about paper-box workers; and he answered that he simply believed that the time had now arrived for plays of that sort to be written. I asked him why he called his play "Fire-Alarm," and he said that, as he had originally written it, it had ended with the Professor and the Man heading a Peace delegation to the President and then setting the White House on fire; but that, even now that the incident was out, the name expressed the spirit of the play, which was a spirit of revolution. Later on, however, I heard him telling someone that "Fire-Alarm" was intended to have no political significance but to be taken merely as a "farce for living puppets, of which the moral was a Buddhistic resignationism." "You must always play for laughs," he told us. "In the dinner scene, where the Professor and the Man pick the pockets of the guests they have drugged and find nothing in them, you must have the guests come suddenly to life and turn seltzer bottles on them. It is years and years since a seltzer bottle has been seen on the American stage. The dollar-chasing 'refinement' of the uptown commercial theater has driven them away. But we shall never have a real American drama till the seltzer bottle has been brought back!" Three days before the opening, he told us that it had always been his idea to have a fire-bell and a siren continuously sounding between each two

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scenes; otherwise, he said, the title would be meaningless. And this we did.

I cannot say that the play was well directed: it was scarcely directed at all. The titular director was a fellow named Bob Mott, who had done a little of everything in the Village. In those days, in the Village, wherever you went to a party, there was always one very impressive person whom you took to be one of the really distinguished painters or writers who sometimes lived down there. He would sit and smoke with a homely or rugged assurance which seemed to mask treasures of subtlety and wit, and people would gather about him to hear his judgments on all sorts of subjects. Bob Mott was one of these persons. He always went striding around the Village with a thick and knobby cane, a rough-and-ready old soft hat and a large pipe, which he had a trick of keeping between his teeth while he talked; but, when you really got to know him, you realized that the principal feature of his character was an invincible limpness. He was, therefore, not a very good director. It cannot be said that he did not appreciate the play: on the contrary, during the rehearsals, he spent so much time laughing at the jokes that he never got around to finding means for making them effective to the audience; and, at the end of a scene which moved him strongly, as certain scenes invariably did when the actors remembered all the lines and went through them without halting, he would always turn to the nearest bystander and, with his pipe clenched between his teeth, say, "God! what a punch!" He used to watch the rehearsals very knowingly, puffing at his pipe; but he never gave the actors any useful instructions, except occasionally to take them aside and hold whispered conversations with them. These conversations were, however, usually designed to advance his intimacy with individual actresses rather than promote the success of the play, and that was all they ever accomplished. He was usually more or less drunk. He and DeGross Wilbur used to have terrific quarrels.

Jane Gooch, who also designed the costumes and managed the publicity, did most of the real work of direction. She would intervene every other day or so and see that the actors got on and off the stage and took each other up on their cues. But she was not able to be present continuously and so could not enforce the discipline and keep the actors up to the efforts which are required for an effective production. All sorts of people used to drift in and out while the rehearsals were going on. They would make suggestions to Bob Mott and to the actors. There was one man who ran a book-shop who was jealous of one of the actresses, a girl with whom he had been living and whom he suspected of an interest in one of the other members of the cast. He would come and sit there every day, and sometimes conceal himself behind the scenes, where the actors would fall over him as they were making their entrances and exits. Bob Mott had a police-dog named Hindenberg, which he always brought to the theater with him and which barked at the fire-alarm and the soliloquies. There was also a Polish girl who drank and was in love with Bob Mott. We used to hear her sobbing in the pauses. The day of the dress rehearsal, Jane Gooch, who had been overworking, arrived in the afternoon, and, after witnessing a scene or two, broke down and had hysterics. She presently recovered, however, and did what she could.

"Fire-Alarm" did not run very long, but the run was extremely varied. On some occasions, the audience would hiss; and, on others, they would sit in utter silence. At one performance, a single spectator laughed at one of the satiric lines and the rest of the audience hushed him—whether because they thought the joke a poor one or because the play had made them solemn, we never knew. Sometimes they could be heard weeping; and sometimes they would laugh so wildly that they broke the actors up. ("I am perfectly satisfied," DeGross Wilbur would always say. "It is a mixture of genres.") Sometimes, they had nearly all left before the play was half through. Nor did this altogether depend on the mood of the audience: the performances differed strikingly. Sometimes the actors forgot one part of the play and sometimes another: the soliloquies were particularly treacherous and were often abruptly telescoped, by the omission of long passages, before the actors who were supposed to play the following scenes had had time to arrive in the wings and take their cues. Sometimes the stage-manager and electrician, who was having a good deal of difficulty with his wife at that time, would forget to lower the curtain, so that the actors would have to hold their positions like living statues. One night, during the final scene, when the Professor takes the hero by the arm and leads him toward the dawn of Truth, the electric rhomboid, at the back of the stage, instead of bursting into brightness, after a short preliminary glow, began to grow fainter and fainter, so that, by the time the Professor had delivered his invitation, "Come with me into the Light!" the stage was entirely dark. There was a good deal of laughter at this, and DeGross asked us to do it this way every night, as it made the ending more ironic. He said that, in giving "Fire-Alarm" a happy ending, he had been subconsciously affected by the pressure of the popular taste and that this accident had made him realize how much finer it was to end in darkness. We, however, dissuaded him.

The last night in the run of a play is, as you know, a special occasion: according to one of the traditions of the theater, the actors, in the course of this performance, are supposed to try to break each other up. The actors in "Fire-Alarm" thought that they had been through a good deal for the play and they did not hesitate to express their relief at the prospect of its closing, by the contrivance of practical jokes of an exceptionally elaborate character. The stage-manager, who had become reconciled with his wife, also entered into the spirit of the occasion and spent hours, unknown to the actors, arranging pitfalls and surprises for them. Thus, in the first scene, when the hero tries to break through the sides of the box, the gauze was slit, so that he fell through and had to clamber back in again. And when the Employer in a later scene picked up his silk hat from the table, a shower of soda-crackers and pretzels fell out. The guests in the dinner scene took the wind out of the hero's indignation by wearing real shirts instead of false ones and having large rolls of bills in their pockets. (During this scene, Bob Mott's police-dog also wandered in from the wings and licked one of the corpses on the nose.) The stage-manager's most ingenious effect occurred in one of the interiors: the Professor was supposed to open a door and enter from the outside; but the door had been arranged so that its hinges were at the bottom instead of on the side, so that it came down on the stage like a portcullis and the

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actor walked in over it. When he tried to make his exit through the door on the other side and pushed the knob to open it, the door, which in this case had been taken off its hinges altogether and was being held by someone behind the scenes, was simply wafted back into space and evaded the Professor's grasp. In the midst of the final soliloquy, which was delivered by the hero sitting on a set of steps, the steps were slowly rolled behind the scenes, carrying the soliloquy with them; and when the Professor began talking about the Light, a flashlight was set off which so startled him that he began again several speeches back and played part of the scene over.

Most of the audience laughed: there were not very many there. After the performance, a strange rigid woman—a woman of about forty-five, who wore spectacles and dressed in hideous clothes of some remote period and place—appeared behind the scenes and desired to meet the author. She talked nervously, as if under intense pressure, and I thought she was a little mad. When DeGross Wilbur appeared, she complimented him on his play with a curious acid eagerness which sounded as if she had become so habituated to expressing disapproval that, now that she felt moved to enthusiasm, she had no accents to convey it. "Tell me, have you ever been in Gibson—in Gibson, Denver?" she demanded. "I'm sure you must have been in Gibson!" DeGross said that he had never been there. "What you have given us so categorically, so insolently—I might almost say, so atrociously—is a compendium of all its laxities, its brazennesses, its tortures, as well as of its few limpid lovelinesses. I should have said that no one could have written that play who had never been a school-teacher in Gibson! And then, the coarse market-mindedness of the Employer, so sickeningly submerged in the bread by which alone man can never live! All his purposes are directed toward it! Above it his thoughts cannot leap!" (She was speaking of the shower of pretzels.) "Oh, I have seen it a thousand times! And the stars that do but caricature our crude disturbances when we would fain raise our garish passions to their coolness and their clearness—and the doors of rooms that topple inward or waver at our hand away, as we pass from cell to cell of torment!"

As I say, I thought she was mad. That was my first meeting with Isabelle Griffin. I did not know that she was eventually to become the first woman dramatist of importance in the history of the theater. And I was even further from guessing that this immature and incoherent play of DeGross Wilbur's was actually to show her the way to her own creative development. She had come on to New York for only a few days and, as she read nothing but seventeenth century poetry, it is unlikely that, if she had never seen "Fire-Alarm," she would ever have come into contact with the methods of German expressionism, which, imperfectly assimilated and exemplified as they were in "Fire Alarm," were in her case to prove so fruitful. Today, one speaks of Isabelle Griffin and Strindberg. Nor was it merely the premeditated effects of "Fire-Alarm" which influenced her own technique: some of the accidents of the final performance, in her hands, became equally valuable. For example, the sudden set-back of the Professor when the flash-light was set off provided Isabelle Griffin with scenes of a curious effectiveness, in which whole passages of dialogue were repeated. DeGross himself soon sloughed off the tricks which he had been at such pains to acquire and began writing those marvelous comedies of the country club society of industrial towns which, with a material so different from Congreve's, produce an impression equally heartless, and in which the satiric vein of "Fire-Alarm" is plainly distinguishable. Today, when the American theater is the most celebrated in the world, after thirty years of dramatic writing which, for vitality and richness has hardly been equaled since the age of Elizabeth, it is difficult for us to imagine in what obscurity and confusion the present movement began. At that time, the young dramatists tended to put too much importance on machinery and "stunts" and too little upon the written word: they underestimated the intellectual, as distinguished from the mechanical, effort which must go to make a great play. And the theater was still divided into two sections, with a gulf as yet unbridged between them: the dramatists, often of remarkable resources, who wrote frankly for the commercial theater, and the dramatists with a certain amount of culture and with novel technical ideas who lacked too often both the sense of the theater and the intimate experience of life. It is curious to watch the growth of a new art: its beginnings are so often unpromising and it is so difficult, in a given case, to explain the impulse, apparently irrational, which has prompted a given dramatist to take a new direction. When DeGross Wilbur first explained to me that he had written "Fire-Alarm" simply because of a conviction that the time had now arrived for writing plays of that sort, I thought him a little absurd; but I have learned to respect the vagaries of artists and I now see that his instinct was sound.

EDMUND WILSON, 1957.

True Vine

There is a serpent in perfection tarnished,
The thin shell pierced, the purity grown fainter,
The virgin silver shield no longer burnished,
The pearly fruit with ruin for its center.

The thing that sits expectant in our bosoms
Contriving heaven out of very little
Demands such delicate immaculate blossoms
As no malicious verity makes brittle.

This wild fastidious hope is quick to languish;
Its smooth diaphanous escape is swifter
Than the pack of truth; no mortal can distinguish
Its trace upon the durable hereafter.

Not so the obdurate and savage lovely
Whose roots are set profoundly upon trouble;
This flower grows so fiercely and so bravely
It does not even know that it is noble.

This is the vine to love, whose balsams flourish
Upon a living soil corrupt and faulty,
Whose leaves have drunk the skies, and stooped to nourish
The earth again with honey sweet and salty.

ELINOR WYLIE.

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Trollope Redux

Anthony Trollope, by Michael Sadleir. With an introduction by A. Edward Newton. Boston: Houghton Mifflin Company. 432 pages. $5.

MR. NEWTON attributes the genesis of this book to a conversation in which Mr. Sadleir remarked with reference to Mr. Escott's book on Trollope that it was high time for another. "Why don't you write it?" inquired Mr. Newton, whereupon Mr. Sadleir did. Whether Trollope needed another book may seem doubtful. He was doing very well by himself. The Trollope revival was already a literary phenomenon, at which no one would have been more surprised than that author himself. It was with no false pretense of modesty that he wrote: " 'Barchester Towers' has become one of those novels which do not die quite at once, which live and are read for perhaps a quarter of a century." "Barchester Towers" was written in 1857. In 1900 one of Trollope's publishers, William Tinsley, wrote in "Random Recollections of an Old Publisher": "No one reads or thinks about Mr. Trollope's novels now." Mr. Sadleir quoted the passage in his excellent introduction to Trollope's "Autobiography" when it became one of the World Classics, of the Oxford University Press, in 1923, by which date some twenty of the novels had been reprinted in that series or in others. The revival has been less sudden than the decline, but more striking, paralleled only by the posthumous career of Jane Austen. But while Miss Austen came back with six novels, of which at least four can be read almost at a sitting, Trollope has in Mr. Sadleir's list more than a hundred volumes of fiction. By all precedents, his mere bulk should have sunk him. As a matter of fact, the robustness of his recovery, like Miss Austen's, is attested by the amount of comment and criticism which it carries. Books like Mr. Escott's and Mr. Sadleir's are no small addition to the mass of Trollope, but they are absorbed gratefully not only by readers of novels but by amateurs of personality.

Mr. Sadleir takes from the "Autobiography" the story of Trollope's wretched boyhood and unpromising start in life as a clerk in the post office. If any man was entitled to an inferiority complex, it was Trollope. He retrieved the indignity of his early life by learning the craft of the novelist and practising it with extraordinary assiduity. By way of compensation he became a country gentleman, rode much to hounds, and enjoyed the Garrick Club and the Athenæum; yet he never could forget the mortifications which he had suffered when as a day pupil at Harrow he arrived at school dirty from walking the muddy roads, or as an awkward youth he was exposed before his fellow clerks by a mother's demand: "Anthony Trollope, when are you going to marry my daughter?" Such revelations were not to late Victorian taste. It was with a certain bravado that Trollope insisted on making them, as well as parading his business-like dealings in fiction, so shattering to the conception of genius. It was all one with the general brag and bluster of his appearance and manner. "He was at once formidable and pathetic," says Mr. Sadleir; and again: "Within the vehement shell that the world knew as Trollope the successful novelist, cowered a secret Trollope—diffident, defenseless and forlorn." Like Hazlitt, he could never be sure of his social technique, and too often reverted to the subject. And, like Hazlitt, he desperately wanted affection. "I think that I became popular among those with whom I associated," he wrote rather wistfully under the heading, "I Join Other Clubs." "I have long been aware of a certain weakness in my character which I may call a craving for love." In his "Portrait of Anthony," and the study of him as representative of the Victorian Age, Mr. Sadleir is at his best. He has amplified Trollope's own account of his early life, especially the adventures of the family in America; and he has printed some of the letters which Trollope addressed to Kate Field, who, as the biographer elegantly says, "set free—for a brief while at any rate—his natural masculinity." But Trollope was neither a lover nor a letter-writer.

Trollope's revival and Jane Austen's are alike in that both are due to the solid qualities of their work. For those who read novels not for any of the more pretentious functions of fiction, didactic, moral, social or esthetic, but for the fiction itself, they have in the highest degree the effect of that special quality which may be called the novel-reader's satisfaction. Mr. Sadleir truly declares that "a Trollope novel is of the very essence of fiction. At its best it represents a distillation of that element in story-telling on which all other elements depend, without which no blend—however skilful—of fact, incident, idea and description can be recognized for fiction at all—the element of characterization." Trollope recognized this element as the most important in the art of fiction. He records himself as being thoroughly imbued with his characters, "crying at their grief, laughing at their absurdities, and thoroughly enjoying their joy." "It is so that I have lived with my characters. . . . There is a gallery of them, and of all in that gallery I may say that I know the tone of the voice, the color of the hair, every flame of the eye, and the very clothes they wear." In all this his similarity to Thackeray, who wept when he had killed Colonel Newcome and Helen Pendennis, is apparent. Another likeness to Thackeray appears in the fact that, securely planted on this solid ground of reality, both could afford to scoff at pretentious theories of fiction and at conventional fictional devices. They were too realistic to accept the novel as a laboratory experiment or a sociological report, or as anything but an entertainment, of which they were the sole directors. Thackeray compared Vanity Fair to a puppet show. Trollope poked fun at devices dear to lesser practitioners, such as the conventional "misunderstanding." When, in "Barchester Towers," Eleanor Bold and Mr. Arabin are at cross purposes, he muses: "Had she given way and sobbed aloud, as in such cases a woman should do, he would have melted at once, implored her pardon, perhaps knelt at her feet and declared his love. . . . But then where would have been my novel? She did not cry, and Mr. Arabin did not melt." But we are sure of Trollope's good faith. Eleanor's crying and Mr. Arabin's melting would have been out of character. Again he pauses to assure us that Eleanor shall not marry Mr. Slope or Bertie Stanhope, and to laugh at the artifice which preserves, to the end of the third volume, a mystery which an anticipatory peep into that volume can dissipate. He will have author and reader move along together with full confidence in each other. Like Miss Austen, he makes dupes of his characters, but never of his readers. "Let the personages of the drama undergo ever so complete a comedy of errors among themselves, but let the spectator never mistake the Syracusan for the Ephesian."

Mr. Sadleir's critical judgment is wrong in one respect—the opposition which he imagines between Trollope and Henry James. He refers to an early flippant criticism by James of "The Belton Estate," but he ignores his more mature judgment in the essay on Anthony Trollope in "Partial Portraits," where James confirms Trollope's criticism of himself. "He had no airs of being able to tell

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you *why* people in a given situation would conduct themselves in a particular way; it was enough for him that he felt their feelings and struck the right note because he had, as it were, a good ear." There is a close parallel between James' "Art of Fiction" and the passage in the "Autobiography" in which Trollope speaks of the contrast usually drawn betwen Wilkie Collins as a sensational novelist of plot and himself as a novelist of character. "All this is, I think, a mistake—which mistake arises from the inability of the imperfect artist to be at the same time realistic and sensational. A good novel should be both, and both in the highest degree." This is precisely James' position. In his view, also, the terms character and incident may be transposed at will. "What is character but the determination of incident? What is incident but the illustration of character?" The separation seems to have been invented by critics, and to have "no reality or interest for the producer." The real difference between James and Trollope lies in the subtleties of method and of style, the finesse of approach and point of view, to which the one was so exhaustively devoted and the other so indifferent. Both agreed that a novel must be interesting and that it must be real. As for significance, James has remarked that "the deepest quality of a work of art will always be the quality of the mind of the producer." That Mr. Sadleir helps us to the appreciation of the quality of Trollope's mind is the sufficient reason for his book.

R. M. L.

Redeeming Village Life

American Villagers, by C. Luther Fry. New York: George H. Doran Company. 201 pages. $2.50.

American Agricultural Villages, by Edmund deS. Brunner, Gwendolyn S. Hughes and Marjorie Patten. New York: George H. Doran Company. 326 pages. $3.50.

INDUSTRIAL expansion and consequent urbanization —the two processes which have dominated American life during the past half-century—have transformed both the form and the quality of our civilization. A new set of values came to the surface, and, in this rearranged scheme of valuation, villages and rural communities, together with their cultures, dropped to the bottom of the scale. Characteristic of the whole of so-called western civilization, there is nothing strange about this procedure. The American movement is, however, to be distinguished in one respect: our evolution from rural to urban culture proceeded at a more rapid rate and over a wider area than has been heretofore experienced; in addition, our urbanization and ensuing shift of values probably came about with less interference and control than that exercised under similar conditions in European states. Certainly there was a more conscious recognition of the change and a more determined effort to maintain balance in the analogous case of Germany.

In any case, our progress in the spheres of industry and city-building was secured at the expense of agriculture and rural life. The latter declined, not merely economically but in the scale of values, in proportion as the former advanced. The American village is integral to agriculture, and consequently declined, as most observers supposed, at the same rate. But many of the presumptions about villages, even among sociologists, were continuing reflexes of the value-change, and were not consonant with actual change. Urbanized people continued to despise the village and the rural community as a place of abode in terms of their newly acquired values, but they did not inquire into motivations of others not so fully urbanized. The Institute of Social and Religious Research has performed a national service in conducting a comprehensive study of the American village—a study which has already revealed that villages have been renascent for at least two decades; those who read the two volumes under consideration, which constitute a partial report on the total study, will be forcefully reminded of the disastrous effects which follow when a few reliable facts impinge upon comfortable deductions.

In the first place, American villages are not declining. There are approximately 18,000 villages (between 250 and 2,500 in population) in the United States, with nearly thirteen million inhabitants; and these villages are increasing more rapidly than the nation's population as a whole; in some areas they are increasing more rapidly than cities. Villages now constitute 12 percent of our population, and 24 percent of the rural population. This single fact contains more implications than can properly be mentioned in a brief review. Those, for example, who are interested in the qualitative aspects of civilization will want to know what the modern villager is as a person. Does he partake more of rural or of urban ways of thought? The village, as the authors of these volumes indicate, is integrated with agriculture, from the point of view of economics and services, but does this mean that village inhabitants also "think with" the farmer on public questions? To anyone who wishes to understand what is really happening to American life, these studies provide better answers than have hitherto been made available. By way of illustration, analyses of village-rural conflicts are given, which point clearly to the conclusion that interdependence on the economic level does not necessarily imply coöperative relations on social and psychological levels. Good feeling between farmers and villages diminishes when the village service-center increases in size. On the other hand, farmers are unmistakably drifting toward the village church. The superiority of the village school likewise attracts rural students in increasing numbers. On the whole, it appears that a profound change is going on in the American countryside, a change which means a refocusing of rural life in terms of the revitalized village. Involved in this change are, of course, such factors as improved roads and automobiles, which bring increased mobility to the farm family, and other modifications which are, in effect, adjustments to the industrial-urban complex.

A few miscellaneous facts gathered in a special study of 140 agricultural villages will give the reader some insight into the structure and quality of village life. These 140 villages contained:

119	coöperative buying and selling associations
645	manufacturing industries
253	banks
287	schools
79	libraries
56	parent-teacher associations
784	churches
958	lodges or secret societies
379	social organizations
109	newspapers
127	motion picture theaters

The above figures tell many stories. The 1 to 12 ratio between libraries and lodges, for example, and the 1 to 9 ratio between libraries and churches, are revealing and sig-

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nificant facts. And these two volumes are filled with data of this sort, data which need to be digested, not merely by sociologists, but by all who purpose to be intelligent about that one-eighth of our population which is, in many respects, more typical of our civilization than any other fraction.

EDUARD C. LINDEMAN.

The Imminent East

The Philippines: A Treasure and a Problem, by Nicholas Roosevelt. New York: J. H. Sears and Company. 315 pages. $3.50.

BELIEVE it or not in a post-Victorian era, but here is a book on the Philippines with a peroratory chapter entitled "Bearing a Thankless Burden," and above each chapter quotations from none other than Rudyard Kipling, and, strewn throughout its pages, variations of the locution, "the white man's burden."

"We [Americans] have trifled with the white man's burden during the last twenty-five years," but now we must be "prepared to carry the white man's burden with dignity," we must "shoulder our burden courageously, carrying through the thankless task to completion," for "there are no 'lightly proffered laurels' in carrying the white man's burden." But if we are recreant, if we refuse the sacrifice, if we do not "lead the Filipinos to the light," if, that is, we indulge our weaker natures and withdraw from the Philippines and leave the Filipinos to themselves, that "would be a betrayal of the great mass of the Filipino peoples, and a stain on the fair name and integrity of the American nation."

Poor we! But could you guess, contemplating us thus destined to self-immolation, that the Filipino peoples fought for three years and sacrificed thousands of lives to keep us from being burdened by them, and that all their articulate elements are now clamorously demanding that we free ourselves of the burden of them and that, moreover, this burden consists of "treasure islands" whose development will "furnish the United States with tropical products which at present she imports from other regions," at a time when "we are becoming more and more dependent upon tropical agricultural products," so that "never again could the price of rubber be artificially raised at the expense of the automobile users of America, nor could the market in quinine be absolutely controlled by the government of a European nation in order to make Americans pay through the nose"? Could you guess that? Poor we, indeed, and oh, what a burden!

But carry on, America! What though "our first quarter of a century in the Philippines has been an experiment in misapplied altruism"? Be undismayed. The second quarter can be an "era of efficiency." The third will be a "time of transition." And the fourth—the fourth "will see the birth of a business partnership." And fat may the infant wax, and long flourish!

So be burdened, America. But unbowed.

The Changing East, by J. A. Spender. New York: F. A. Stokes Company. 256 pages. $3.

THE change in the East is thus summed up by Mr. Spender: "One may wish that the presumption of an unchanging East in which the benevolent autocrats from the West dispensed law and justice to a grateful population and held their own by their prestige had survived into our time. It has not done so, and to acknowledge that it has passed is the beginning of wisdom as between East and West."

In Egypt, Turkey and India, Mr. Spender has found this truth exemplified, and he draws the conclusions that inescapably follow from it. The East no longer will accept tutelage with docility, and the West no longer can exact obedience under penalty of chastisement. The relations that obtain between them in the future must be such as to permit self-respect to both, and there can be no self-respect without recognition of equality. That a *modus vivendi* can be found on a basis of equality, without disturbing the present political relations between England and India, and England and Egypt, is Mr. Spender's belief. Patience on the one side, tolerance on the other, and willingness on both to make experiments, he thinks the way out of the present seeming impasse.

Mr. Spender may be too optimistic and he may not. Perhaps the aspirations of Egyptian and Indian nationalists may be satisfied without granting all their demands. Perhaps self-government for Egypt with such guarantees to Great Britain as will secure Britain's thoroughfare to India and its investments in Egypt and the Sudan, and graduated self-government for India, with correspondingly gradual relaxation of control by the British *raj*, may be acceptable on the one side without prejudicing the vital interests of the other. But, whether or no, Mr. Spender is wise in his emphasis on the intangibles. The complacency, patronage and racial snobbery of the western ruling races have been as powerful in creating disaffection in the eastern subject races as western economic exploitation. And Mr. Spender himself is refreshingly free from an air of patronage.

Mr. Spender is a veteran and distinguished journalist of a generation that is passing, even in England, where, also, news generals and stunt impresarios are supplanting the sensitive and well grounded interpreter. How much is lost in the passing may be seen from this book. It is frankly journalism, a record of impressions, of observations and soundings, but journalism of an order that can make a contribution no less than scholarship. Whatever the method may be, it is applied by one who comes with the resources of a good mind, imagination and knowledge.

The New Korea, by Alleyne Ireland. New York: E. P. Dutton and Company. 354 pages. $5.

"THE New Japanese Administration in Korea" would be a better title. There is little here about Korea, new or old, in the sense that Korea is not only a place name but a habitation of 17,000,000 human beings, and much about government machinery and projects since the Korean uprising in 1919 compelled the Japanese government to change the militaristic spirit of its rule in Korea. That the spirit is changed for the better is apparent; so, also, that the civil administration is more efficient, and that Korean discontent has subsided, in the sense that there is no outward expression. Mr. Ireland gives a concise and well ordered abstract of the official reports of the Japanese colonial office. But he tells nothing about Koreans. He cannot, it is true, be criticized for not doing what he expressly disclaims any intention of doing, and he must be credited with doing well all that he set out to do. But it is fair to question whether what he has done was worth doing. If one wants to know about Korea in 1927, it is not enough to know about the organization of the Japanese administration and the achievements of the Japanese ad-

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ministrative bureaus. It is necessary, also, to know how the lives of Koreans have been affected, what life is, in short, to the Korean peasant and shopkeeper, and what he feels and thinks about being ruled by Japan. Mr. Ireland begins by declaring that he will not enter into the question of the right of one nation to rule another. The fact is that Japan holds Korea and intends to retain it; he is concerned only with how Japan is going about to rule it. To ignore considerations of abstract right and wrong in a work like this is sound, because such considerations do not enter into international politics as now practised. But to ignore psychological values is to ignore all that is essential. From the point of view of a graduate student doing a thesis in political science, the mechanics of government in a dependency may be of interest and importance. From the point of view of practical politics and the student of contemporary history, it is more important to know what the relations between Japanese and Koreans are. Mr. Ireland has written a book about Korea that deals with everything except what is essential.

NATHANIEL PEFFER.

A Fire-Bringer

The Heart of Emerson's Journals. Edited by Bliss Perry. Boston: Houghton, Mifflin Company. 357 pages. $3.

APTLY selected, vitally connected, edited with the minimum of "exposition" and with the precision and wide grace of self-effacing scholarship, this volume has the fascination of genuine and brilliant biography.

Objection may address itself to a number of omissions. But the desirability of having Emerson's "Journals" in the accessible form of one volume is, it seems to me, unquestionable; and in abridging ten volumes of vital stuff to one, something vital must go. Nevertheless, from these few pages an intimate portrait of Emerson's genius emerges with remarkable salience.

This portrait of the inspirational Emerson is of course very different from the lay-figure Emerson, the Emerson of the Game of Authors, of American Letters. Among many distinctions between the two images of Emerson, one may be emphasized. The transcendentalism of the Emerson conceived in this dull Game of Authors is the mere mooning of an ascetic ignoramus. The real Emerson presented to us by Mr. Perry's editorial discernment wears his transcendentalism with a difference.

In this volume, we see Emerson's doctrine in the living terms of his passions, his hopes, his humor and grief, and despair, his deepest penetrations into human intercourse.

Transcendentalism was Emerson's one dissipation. His propensity for conceiving everything in terms of the beyond has both the splendor and the occasionally irritating character of an impulse indulged to excess, his one recklessness, his one dogma, his one intemperance. This, at least, is the great, the faulty and the moving human creature portrayed for me by this book's differentiations.

Thus, though before meeting a new acquaintance, Emerson is often so stirred by anticipation as to be sleepless for the entire preceding night, yet in spite of the acuteness of his interest in the actuality of human individuality, he is so concerned with something beyond the avatar of personality before him that he is always disappointed in its presence.

He says of his conversations with Coleridge, Carlyle, Wordsworth, Landor,

> What the intercourse with each of these suggests is true of intercourse with better men, that they never *fill the ear*—fill the mind—no, it is an idealized portrait which always we draw of them.

The Americans, too, fall short.

> The sort is good, but none is good enough of his sort. Everyone is an imperfect specimen; respectable, not valid. Irving, thin, and Channing, thin, and Bryant and Dana; Prescott and Bancroft. There is Webster, but he cannot do what he would; he cannot do Webster.

Emerson himself, in more than one of this book's selections from his journals, expresses his sense of the defect of his quality; and reproaches himself painfully for his failure to appreciate immortal moments in their immediate passage.

Not only human beings, but earth and the heavens are for him veils of that mystery forever haunting his consciousness.

> I went into the woods. I found myself not wholly present there. If I looked at a pine-tree, or an aster, *that* did not seem to be *Nature*. Nature was still elsewhere: this or that was but outskirt and far-off reflection and echo of the triumph that had passed by and was now at its glancing splendor and hey-day —perchance in the neighboring fields, or, if I stood in the field, then in the adjacent woods.

Many values of "The Heart of Emerson's Journals" have not been considered here. It should be mentioned that in the pages of this book lies the bed-rock matrix of many poems long treasured in the memories of the countless "unknown friends" to whom Emerson spoke from his immortal "wood-lot on the shore of eternity."

One reads the book in the profound enchantment of a true poet's sense of the cosmos. In the golden land of poetic fable one listens to the ageless quarrel of the Squirrel and the Mountain; one hears or seems to hear the chiding sea say, "Pilgrim, why so late and slow to come?" and watches the Haughty Day fill his blue urn with fire.

EDITH FRANKLIN WYATT.

Fiction Notes

One Crystal and a Mother, by Ellen Dupois Taylor. New York: Harper and Brothers. $2.

HERE is autobiography of a beguiling kind, combining as it does a wholly irresistible gaiety with an undercurrent of pathetic discontent. One doubts not at all that this woman from Dakota is the author's authentic self. She gives her to us with simplicity and finality—her knowledge of herself, her ignorance of the world, as she plunges headlong into the newspaper game in Chicago. To call this book a novel would be to misname it. There is a slender thread of continuity, but upon this thread chapter follows chapter with the most audacious inconsequence, like parti-colored beads of every size and shade. Even the title is no more than one of these intriguing beads. This Crystal who so explicitly is given first place is no more than a rainbow-tinted vision, seen obliquely through the author's eyes, a creature who does not appear in person till the last ten pages of the book, and then only to utter a dozen or so disdainful words and vanish. Yet implicit throughout

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is the poignant fact that Crystal is the personification of all the thwarted desires of the little newspaper woman, the embodiment of the pent ecstasy of her defeated flesh. There is no story, and there are a dozen stories, in this entertaining book. The writer has rushed like a child, blindly, from door to door of life's surprises, and from each door there has issued new material to challenge her perceptive and intuitive faculties. To the high quality of these perceptions and intuitions the book owes its charm. It must be added that Mrs. Taylor's qualifications for dealing with life in its inconsequential aspects are enormously reinforced by a pretty wit and a truly kaleidoscopic vocabulary. Unforgettable are her pen sketches of the "mother." Unforgettable, also, is the mirror which she holds up to the elements, flashing descriptions of heat and wind and rain.

E. B. H.

Ironical Tales, by Laurence Housman. New York: George H. Doran Company. $2.50.

THIS book of fanciful fables, in spite of being sternly spurred by its title, is soon overtaken by the sentimentality which the author loves, and which he handles so much less effectively than his poet-brother. The first canter reminds the reader, unhappily enough, of both Lord Dunsany and Henry Van Dyke, but Mr. Housman soon strikes his own pleasant path, which, though soft enough and easy going, is frequently enlivened by little sun-bursts of humor. In one story, "Lady Into George Fox," he has parodied Mr. Garnett so well that he succeeds in recapturing the elusive and ironical tone of the story he has imitated, but when he has it, like Mr. Garnett he does not know what to do with it.

T. S. M.

Green Forest, by Nathalie Sedgwick Colby. New York: Harcourt, Brace and Company. $2.

AN obvious likeness exists between Virginia Woolf's "Mrs. Dalloway" and Nathalie Sedgwick Colby's "Green Forest." But the similarity lies no deeper than surface design, for, although Mrs. Colby has related Shirley Challoner's emotional preoccupations in a manner somewhat derivative from Mrs. Woolf, Clarissa Dalloway and Shirley are scarcely sisters under the literary skins of their respective novels. The author has surrounded her story's chief figure—Shirley, who escapes from the covenants of actuality into a "green forest" of spiritual freedom—with other personalities of striking definiteness. Never does Mrs. Colby retard the agile pace of the book by a superfluous comment. With uncanny omniscience, she appears merely to visit the mental habitat of each of the characters and report her findings. "The Green Forest" discloses a new writer endowed with a subtle apprehension of beauty and with ironic humor.

J. R.

Liliecrona's Home, by Selma Lagerlöf. New York: E. P. Dutton and Company. $2.

SELMA Lagerlöf takes one bodily to the mountain districts of the north, to pine-girt lakes swept by storm winds, to lonely parishes which struggle for their existence against the snows. And then, with an exquisite and deceptive simplicity, she spins a fairy tale of a forlorn maiden, a cruel stepmother, accounted a witch, and the dark, elusive Liliecrona who wanders in from the night. Her story is haunted with a northern sadness. It is nourished on the brooding superstitions of peasants and infused with wild poetry. Undoubtedly there are those who can see nothing in Selma Lagerlöf, who cavil at her naïve phrasing and her atmosphere of extravagant romance. Of such critics one can only say that they have lost their contact with the world's youth. One cannot compare the Swedish novelist with the psychologists and realists who hold the field at the moment. Hers is a different voice, powerful and primitive. That voice has a magic tone which creeps through the barrier of language in this new translation as in previous ones.

E. H. W.

Contributors

GROVER CLARK is president and editor of the Peking Leader, and a well known friend of a peaceable policy toward China. In view of the urgency of the present situation, the substance of Mr. Clark's article was circulated among a few individuals as a memorandum, while this issue of the New Republic was on the press.

LÉONIE ADAMS is the author of "Those Not Elect."

BRUCE GOULD is a graduate of the University of Iowa, a member of the staff of the New York Evening Post, and an occasional contributor to magazines.

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EDITH FRANKLIN WYATT is a novelist and literary critic. She is the author of "Every One His Own Way," "True Love," "Making Both Ends Meet," and "The Invisible Gods."

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